

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:

AT HYDERABAD

C.P. No. 95/97 in OA 105/97

Date of Decision: 26.12.1997

Between:

B. Solomon

... / Applicant

AND

1. Sri R.K. Jayavelu,  
Director, South South Eastern Circle,  
Survey of India, Uppal Hyderabad  
Pin: 500 039.

2. Sri A.S. Sharma, Officer Surveyor,  
Incharge No.43, Party,  
South South Eastern Circle,  
Survey of India,  
Uppal, Hyderabad - 500 039.

.. Respondents.

Counsel for the Applicant: Mr. S. Tripura Sundari

Counsel for the Respondents: Mr. N.R. Devaraj

CORAM:

THE HON'BLE SRI H. RAJENDRA PRASAD: MEMBER (ADMN.)

THE HON'BLE SRI B.S. JAI PARAMESHWAR: MEMBER (JUDL.)

ORDER

(12)

(Per Hon'ble Sri H. Rajendra Prasad: Member (Admn.)

1. The applicant in the OA has filed an application against Respondents 6 & 7 for contempt of Court.
2. The applicant is working as ~~plaintable~~ in Party No.43, in the Survey of India. He was issued a movement order on 12.12.1997 to proceed on field survey work at Naidupeta, Nellore District. The applicant has assailed the Movement Order in this petition.
3. After hearing the parties in the Main OA the Tribunal felt that if the applicant was not happy to work in party No.43, he ought to submit an application to Respondent-3 so as not to be obliged to work under Respondent-6 against whom he had made certain allegations which form part of a criminal proceeding in an appropriate court. This bench therefore gave 45 days to the applicant to submit his representation, if any, to the concerned authority. After the disposal of the OA on 12.12.1997, Respondent-2 issued the impugned Movement Order asking the applicant to be ready to proceed on field work on 8.12.1997. The applicant thereupon submitted a representation to the Superintendent Surveyor (Respondent-7) with a request to defer his move on field duty, until the decision of Respondent-3 is made known.
4. The applicant feels, that by the issue of the impugned Movement Order Respondents have committed contempt.
5. Heard the learned counsel for the applicant. So long as the applicant is working in party No.43, and till his representation is considered and decided by the Respondent-3,

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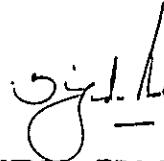
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the applicant is undoubtedly expected to comply with the directions of his immediate official superiors. The directions given in the O.A. cannot be stretched or extended to mean that the official superiors of the applicant are not to entrust any work, including field duties, to the applicant until a decision is taken by Respondent-3.

We find no merit in the C.P. No contempt exists.

The petition is dismissed.

  
(B.S. JAI PARAMESHWAR)  
MEMBER (JUDL.)  
26.12.97

  
(H. RAJENDRA PRASAD)  
MEMBER (ADMN.)

Date: 26th December, 1997

Dictated in the open court

  
Deputy Registrar

KSM