

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

CP 78/94 in : Date of order 20.2.95
OA 229/88

Rajendra Kumar Sharma : Petitioner

v/s

Smt. Meera Handa & Another: Respondents

Mr. S.K. Jain : Counsel for the petitioner.

Mr. U.D. Sharma : Counsel for the respondents.

CORAM

Hon'ble Mr. Gopal Krishna, Member (Judicial)

Hon'ble Mr. O.P. Sharma, Member (Administrative)

PER HON'BLE MR. O.P. SHARMA, MEMBER (ADMINISTRATIVE).

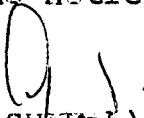
In the order dated 11.5.94 in OA no. 229/88,
the Tribunal had ^{passed} ~~passed~~ the following direction:-

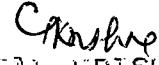
" In view of the above discussion, we allow this application partly and direct that the applicant shall immediately be reinstated. He will also be paid full wages for the period since his retrenchment on 3.5.94 till his reinstatement, on his furnishing an affidavit to the satisfaction of the respondents that he was not gainfully employed during this period, within three months of his furnishing such an affidavit. The claim of the applicant for regularisation shall also be considered by the respondents in accordance with the provisions of the scheme for absorption of the casual labour that may have been prepared or may be prepared in future in accordance with the directions of the Supreme Court in writ petitions no. 302, 373 of 1986, Daily Rated Casual Labour Employed in Posts and Telegraphs Department Vs. Union of India and Others, decided on 27.10.87, 1988(1)SLR 211. Parties to bear their own costs."

2. The learned counsel for the respondents stated that the applicant has been reinstated and that an order regarding payment of wages in terms of the Tribunal's order/ The learned counsel for the applicant admits that the applicant had been reinstated. As regards the payment of wages, he states that he had given up his claim for wages of ^{f42} Saturdays, Sundays and holidays before the Tribunal only upto the period

of reinstatement and ^{not} for the period beyond his reinstatement.

3. We have heard the learned counsel for the parties and have taken on record a copy of the order dated 14.2.95 regarding payment of wages. Para 14 of the order of the Tribunal reproduced above refers to payment of wages for the period upto the date of his reinstatement and not for the period beyond the date of reinstatement. If there is any dispute regarding payment of wages for the period beyond the date of reinstatement, it is not within the scope of present Contempt Petition and the applicant is free to have recourse to a remedy according to law. In the circumstances, the Contempt Proceedings are dropped and the notices issued are discharged.


(G.P. SHARMA)
MEMBER(A)


(GOPAL KRISHNA)
MEMBER(J)