

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

CP 107/94 in : Date of order 24.4.95  
OA 320/94

Hari Shankar : Petitioner

V/s

Shri R.D. Singh & Another : Respondents

Mr. Dharmendra Agarwal : Counsel for the petitioner

Mr. S.S. Hassan : Counsel for the respondents.

CORAM

Hon'ble Mr. Gopal Krishna, Vice-Chairman.

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

PER HON'BLE MR. GOPAL KRISHNA, VICE-CHAIRMAN.

Heard. In this Contempt Petition the petitioner has prayed as follows:-

- "1. This contempt petition may kindly be allowed and the Hon'ble Tribunal may kindly intimate the contempt proceedings against the respondents/contemnors under the Contempt of Court Act, 1971 read with Section 17 of the Administrative Tribunal Act, 1985, and pass an appropriate order for punishment to respondents/contemnors for committing contempt of court and further necessary direction be issued for permitting the petitioner/applicant to continue on the post of Mannement Attendant which he was holding prior to passing the stay order and further thereupon to pay monthly salary on the said post forthwith.
2. Any other order or direction which may be considered just and proper in the facts and circumstances of the case may kindly be passed in favour of the applicant.
3. Cost of the contempt petition may kindly be awarded to the applicant.

2. The interim direction issued by a Division Bench of this Tribunal in OA no. 320/94 reads as follows:-

"In the meantime, the services of the applicant may not be terminated without following the due procedure."

This direction was made to continue till the next date on 30.7.94. The counsel for the petitioner has urged that in spite of the interim direction aforesaid, the petitioner's service was not terminated in accordance with <sup>the</sup> prescribed procedure of law. The interim direction

*C. Krishna*

dated 19.7.94 being prospective and the applicant having put in service merely upto 13.7.93, as there is no averment to the contrary in the rejoinder filed by the petitioner to the reply filed on behalf of the respondents to the Contempt Petition, it cannot be said by any <sup>stretch</sup> of imagination that there was any contempt committed by the respondents.

3. The Contempt Petition is, therefore, dismissed.  
Notices issued are discharged.

(O.P. SHARMA)  
MEMBER(A)

C. Krishna  
(GOPAL KRISHNA)  
VICE-CHAIRMAN

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