

**THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR
ORDER SHEET**

APPLICATION NO.: _____

Applicant (S)

Respondent (S)

Advocate for Applicant (S)

Advocate for Respondent (S)

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

10.11.2009

**TA CP 01/2009 (SBCCP 326/2007) (CWP
1790/95)**

None present for the parties.

**For the reasons dictated separately, this case has
been dismissed.**

**(B.L. KHATRI)
MEMBER(A)**

**(M.L. CHAUHAN)
MEMBER (J)**

AHQ

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH

Jaipur, this the 10th day of November, 2009

TA CONTEMPT PETITION NO. 01/2009
IN
S.B. CIVIL CONTEMPT PETITION NO. 326/2007
IN
S.B. CIVIL WRIT PETITION NO. 1790/1995

CORAM:

HON'BLE MR. M.L. CHAUHAN, JUDICIAL MEMBER
HON'BLE MR. B.L. KHATRI, ADMINISTRATIVE MEMBER

Madan Singh son of Shri Udai Singh aged about 39 years, resident of E-1/442, Chitrakoot, Vaishali Nagar, Jaipur.

.....APPLICANT

(By Advocate: None)

VERSUS

1. Shri S.P. Menon, Chairman, Managing Committee of Chinkara Canteen, Sub Area HQrs., Bani Park, Jaipur.
2. Col. A.K. Samatara, Senior Canteen Officer, Chinkara Canteen, Sub Area HQrs., Bani Park, Jaipur.
3. Lt. Col. Kaluram Verma, Canteen officer, Chinkara Canteen, Sub Area HQrs., Bani Park, Jaipur.
4. Retd. Ltd. Y.S. Chauhan, Canteen Manager, Chinkara Canteen, Sub Area HQrs., Bani Park, Jaipur.

.....RESPONDENT

(By Advocate : -----)

ORDER (ORAL)

This Contempt Petition has been transferred from the Hon'ble High Court as the Writ Petition, which was filed by the applicant was also transferred to this Tribunal. This Tribunal has decided the Writ Petition No. 1790/1995 and the same has been disposed of. In this case, the grievance of the applicant is regarding the violation of the order passed by the Hon'ble High court in the aforesaid Writ Petition whereby while issuing the notices on 05.05.1995; interim order was

10/

granted to the effect that no coercive action should be taken, which order was confirmed by the Hon'ble High Court vide order dated 12.10.1998. The applicant has stated that despite the said order, the respondents have stopped the applicant from working in the Chinkara Canteen w.e.f. 31.12.2006. As such, the respondents have violated the order of the Hon'ble High court, thus liable for contempt proceeding.

2. None is appearing on behalf of the applicant. We are of the view that the present Contempt Petition is not maintainable before this Tribunal in as much as the applicant is complaining of the violation of the interim order which has been made absolute by the Hon'ble High court in Writ Petition No. 1790/1995. Thus remedy, if any, for the violation of the order passed by the Hon'ble High Court was before the Hon'ble High court and not before this Tribunal. Transfer of this case subsequently does not confer jurisdiction upon this Tribunal for the purpose of deciding violation of the order passed by the Hon'ble High Court. That part, since the Writ Petition transferred to this Tribunal has been disposed of, Even on this ground, the present Contempt Petition cannot be entertained.

3. For the foregoing reasons, the Contempt Petition is dismissed.

(B.L. KHATRI)
MEMBER (A)

(M.L. CHAUHAN)
MEMBER (J)

AHQ