

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

\* \* \*

Date of Decision: 09.01.2001

CP 9/99 in OA 60/96

1. Dr.M.N.Khan s/o Shri Nihal Ahmed Khan r/o 20, Subhash Colony, Shastri Nagar, Jaipur.
2. I.K.Sharma s/o Shri Guljari Lal Sharma, Scientist 'B' in O/o Central Ground Water Board, Jaipur.

... Petitioners

Versus

1. Shri Z.Hassan, Secretary, Ministry of Water Resources, Shram Shakti Bhawan, New Delhi.
2. Dr.D.K.Chadda, Chairman, Central Ground Water Board, Ministry of Water Resources, CGO Complex, Faridabad.

... Respondents

CORAM:

HON'BLE MR.S.K.AGARWAL, JUDICIAL MEMBER

HON'BLE MR.GOPAL SINGH, ADMINISTRATIVE MEMBER

For the Petitioners ... Mr.Manish Bhandari

For the Respondents ... Mr.V.S.Gurjar

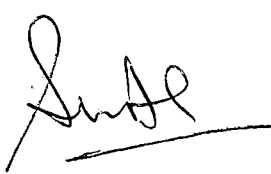
O R D E R

PER HON'BLE MR.S.K.AGARWAL, JUDICIAL MEMBER

This Contempt petition has arisen out of an order passed by this Tribunal in OA 60/96 on 12.2.98. By the said order, this Tribunal had given following directions :

"The respondents are accordingly directed to hold a review DPC/Board of Assessment in order to consider the cases of the applicants for promotion to the post of Scientist 'C' and if they are found suitable for promotion in accordance with the rules, grant them promotion w.e.f. the date from which other persons mentioned in the eligibility list dated 25.10.95 (Ann./1) have been granted promotion and necessary consequential benefits shall be granted to the applicants. No other ground/reliefs have been considered while disposing of the OA.

The OA is disposed of accordingly. No order as to costs."



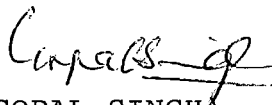
It is stated by the petitioners that the respondents have disobeyed the directions issued by this Tribunal wilfully and deliberately. Therefore, they are liable to be punished for contempt.

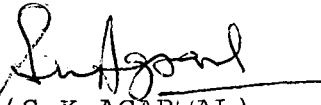
2. Reply to show-cause was filed. In the reply it is stated that there has not been any wilful and deliberate disobedience on the part of the respondents and they have complied with the order passed by this Tribunal in toto.

3. Learned counsel for the respondents has furnished before us today a copy of the order dated 4.1.2001, by which promotion to the petitioners in the grade of Scientist 'C' pay scale Rs.3000-4500 have been given w.e.f. 1.1.94 and submitted that by this order the compliance of the order passed by this Tribunal has been made.

4. Learned counsel for the petitioners has submitted that as per directions given by this Tribunal in the order passed on 12.2.98 the consequential benefits have not been granted to the petitioners, whereas the learned counsel for the respondents submitted that vide order dated 4.1.2001 the department has issued orders for the petitioners to be eligible for all the consequential benefits and promotion admissible under rules. In this connection, it would be suffice to say that if the petitioners have any grievance against the order dated 4.1.2001, they will be at liberty to agitate the matter before the department or, if so advised, before appropriate forum.

5. With the above observations, this Contempt Petition is dismissed and notices issued are discharged.

  
(GOPAL SINGH)  
MEMBER (A)

  
(S.K. AGARWAL)  
MEMBER (J)