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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH,
JAIPUR

CP No.16/97 (OA No.397/96)

Date of order:11.5.99

Hukamchand Kataria S/o Shri Sukh Ram aged 53 years, DPS
Compilation Office, Ajmer and resident of Plot No.33,
Gali No.3, Saraswati Nagar, Dhola Bhatta, Ajmer.

.. Petitioner

Versus

1. Ramjilal Meena, Statistical and Analysis Officer,
Compilation Office, Western Railway, Ajmer.

.. Respondent

CORAM:

Hon'ble Mr. Gopal Krishna, Vice Chairman

Hon'ble Mr. Gopal Singh, Administrative Member

Mr. N.K.Gautam, counsel for the petitioner

Mr. U.D.Sharma, counsel for the respondent

ORDER

Per Hon'ble Mr. Gopal Krishna, Vice Chairman

Petitioner, Hukam Chand Kataria, has filed this
Contempt Petition under Section 17 of the Administrative
Tribunals Act, 1985 stating therein that the respondent
by reverting the petitioner from the Grade Rs. 2000-3200
to that of Rs. 1600-2600 have committed contempt of
court.

2. We have heard the counsel for the parties and have
carefully perused the records.

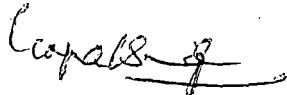
3. The contention of the petitioner is that the OA
filed by the petitioner was dismissed in default for non
prosecution on the part of the petitioner by an order
dated 18.11.96 and since the same was restored on 4.12.96
to its original position, the stay order dated 26.7.96
shall be deemed to have been revived. There was a
specific order passed on 18.11.96 to the effect that the
stay order dated 26.7.96 shall stand discharged. It is
true that the OA was restored to its original position
but it has been admitted by the learned counsel for the
petitioner that the stay order issued by the court was to
last only till the next date, whereafter it was
discharged on 18.11.96.

4. We are not inclined to subscribe to the view of the
learned counsel for the petitioner that the restoration

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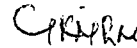
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of the OA by a subsequent order, to its original position, would mean that the stay order issued on 26.7.96 shall be deemed to have been continued. Moreover, it cannot be said in the circumstances of the case that the respondent committed any wilful disobedience by reverting the petitioner to a lower grade. This Contempt Petition is, therefore, dismissed. Notice issued is discharged.



(GOPAL SINGH)

Adm. Member



(GOPAL KRISHNA)

Vice Chairman