

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR

Date of order: 09.05.2000

CP No.149/95 (OA No.3/94)

Siya Ram Sharma, Hari Singh Rao, Rajendra Kumar Sharma, Radhey Shyam Mali, Sunil Kumar Agarwal, Ram Narayan Sharma, Goverdhan Lal Jat, Kailash Chandra Sharma, Ramavtar Sharma, Ramesh Chandra Sharma, Makbool Khan and Mithu Ram Meena, Postal Assistants, Department of Post, Rajasthan Circle, Jaipur.

.. Petitioners

Versus

1. Gautam Gupta, Chief Postmaster General, Rajasthan Circle, Jaipur.

.. Respondent

Mr.R.P.Pareek, counsel for the petitioners

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

CORAM:

Hon'ble Mr. S.K.Agarwal, Judicial Member

Hon'ble Mr. N.P.Nawani, Administrative Member

ORDER

Per Hon'ble Mr. S.K.Agarwal, Judicial Member

In this Contempt Petition arisen out of an order passed in OA No.3/94 dated 3.10.1994, petitioners have come forward against the alleged contemner to punish him suitably for contempt.


2. Show-cause notice was filed and in reply the opposite party has stated that order has been complied with.

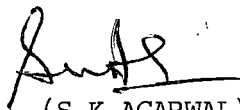
3. The learned counsel for the petitioners during the course of arguments has submitted that Shri Radhey Shyam Mali had worked for 265 days between June, 1984 to July, 1987 but he has been paid only for 227 days. He also states that Shri Sunil Kumar Agarwal had worked for 124 days between October, 1984 to November, 1987 but he was paid only for 108 days. He has further stated that Shri Makbool Khan had worked between October, 1983 to June, 1988 for 104 days but he has been paid only for 89 days.

4. We have perused the averments of the parties and heard the learned counsel for the parties also. We are of the considered view that no case of wilful disobedience is made out against the alleged contemner. Therefore, contempt proceedings against the alleged contemner fails.

5. We, therefore, dismiss this Contempt Petition. However, the petitioners, as mentioned above, may file representation within one month from the date of passing of this order and respondent Department will decide the representation filed by these petitioners as expeditiously as possible.

6. Notice issued against the alleged contemner is hereby discharged and this Contempt Petition is disposed of accordingly.


(N.P. NAWANI)
Adm. Member


(S.K. AGARWAL)
Judl. Member