

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL JAIPUR  
BENCH: JAIPUR.

CP 120/95  
(OA 752/92)

Date of order: 13.11.1995

Yashwant Singh : Petitioner

Vs.

R. Ravindra & Ors. : Respondents

Mr. Shiv Kumar, counsel for the petitioner  
Mr. Manish Bhandari, counsel for the respondents

CORAM:

HON'BLE MR. GOPAL KRISHNA, VICE CHAIRMAN  
HON'BLE MR. O.P.SHARMA, MEMBER (ADMINISTRATIVE)

O R D E R

(PER HON'BLE MR. GOPAL KRISHNA, VICE CHAIRMAN)

This is a contempt petition under Section 17 of the Administrative Tribunal's Act, 1985, by the petitioner Yashwant Singh stating therein that by not complying with the directions of the Tribunal issued in OA No.753/1992 (552/90) dated 28.10.1994 the respondents have committed contempt.

2. We have heard the learned counsel for the parties and have carefully gone through the records.

3. The directions of the Tribunal as contained in para 6 of the aforesaid order dated 28.10.1994 read as follows:-

"6. It is not clear whether in terms of order dated 10/29.10.90 (Annexure R-3), the applicant had two ACRs which could be described as 'Good' including the last one, out of three. The applicant's case for promotion was considered in January, 1990 and the ACRs which were relevant for consideration were for the

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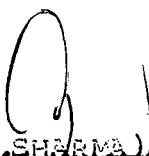
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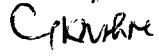
years ending 31.3.87, 31.3.88 and 31.3.89. The ACR for the year ending 31.3.87 has been treated as adverse. If the ACRs for the years ending 31.3.88 and 31.3.89 are in fact good or have a rating higher than 'Good', the applicant would be entitled to promotion in terms of the directions contained in Annexure R-2. The respondents are directed to re-examine the case of the applicant and if he is found entitled to promotion in terms of the directions contained in Annexure R-2, in the light of the above discussion, they may grant promotion to him from the date from which he was due, with all consequential benefits. The respondents shall re-consider the case of the applicant within a period of three months from the date of receipt of a copy of this order."

In terms of these directions, the case of the applicant was considered after keeping in view the ACRs for the year ending on 31.3.87, 31.3.88 and 31.3.89 vide Annexure R-1 dated 6.9.1995 but the applicant was not adjudged suitable for promotion. The respondents have tendered unconditional apology for the delay which has occurred in re-considering the applicant's case for promotion.

4. Under the circumstances above, no case of contempt is made out.

5. Contempt petition is therefore dismissed and notices issued are discharged.

  
( G.P.SHARMA )  
MEMBER (A)

  
( GOPAL KRISHNA )  
VICE CHAIRMAN