

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

* * *

Date of Order: 19.12.95.

CP 121/95 (OA 256/93)

Suresh Chand Dubey

... Petitioner.

Versus

Shri Prakash Baruwa

... Respondent.

CORAM:

HON'BLE MR. GOPAL KRISHNA, VICE CHAIRMAN

HON'BLE MR. O.P. SHARMA, MEMBER (A)

For the Petitioner

... Mr. Ashok Gaur

For the Respondent

... Mr. M.S. Gadgil, O.S.,

departmental representative

O R D E R

PER HON'BLE MR. GOPAL KRISHNA, VICE CHAIRMAN

Petitioner, Suresh Chand Dubey, has filed this Contempt Petition u/s 17 of the Administrative Tribunals Act, 1985, stating therein that by wilfully disobeying the directions of the Tribunal given in OA 256/93 on 17.11.94 for convening a review DPC ignoring the suspension order and the charge-sheet dated 5.2.88, the respondents have committed contempt of court.

2. We have heard the learned counsel for the petitioner and Shri M.S. Gadgil, Office Supdt., departmental representative for the respondent, and have gone through the records of the case.

3. The directions of the Tribunal given in the aforesaid OA may be extracted below :-


"2.The respondents are directed to convene a review DPC and to consider the case of the applicant afresh in the light of the position explained above. They shall carry out this exercise within a period of 4 months from the date of the receipt of a copy of this order.

3. As regards the applicant's claim for pay and allowances for the period of suspension, the respondents are directed to pass an appropriate order under FR 54-B taking into account the facts and circumstances of the case within a period of 4 months from the date of the receipt of a copy of this order."

Cm/14 By order dated 14.11.95 the suspension period of the petitioner from 03.2.88 to

20.6.89 has to be treated on duty for all purposes. It has been categorically stated in the reply filed by the respondent that the salary for the period from 3.2.88 to 20.6.89 has been ordered to be paid to the petitioner, as may be due to him, vide order dated 1.11.95 at Annexure F-2. The petitioner has already been promoted on proforma basis to the post of Head Clerk scale Rs.1400-2300 (RP) w.e.f. 30.8.88. In the circumstances, we find that the aforesaid directions of the Tribunal have been complied with by the respondent.

4. The result is that this Contempt Petition is dismissed. Notice issued is discharged.


(G.P. SHARMA)

MEMBER (A)


(GOPAL PRISHNA)

VICE CHAIRMAN

VK