

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

C.P.No.69/95

Date of order: 14.5.1996

D.S.Mathur

: Petitioner

Vs.

Shri M.Ravendran & Ors

: Respondents.

Mr.R.D.Tripathi

: Counsel for petitioner

Mr.Manish Bhandari

: Counsel for respondents

CORAM:

Hon'ble Mr.O.F.Sharma, Administrative Member

Hon'ble Mr.Ratan Prakash, Judicial Member.

PER HON'BLE MR.O.P.SHAJMA, ADMINISTRATIVE MEMBER.

In this Contempt Petition Shri D.S.Mathur has stated that the respondents are bent upon deliberately defying the directions of the Tribunal given in the order dated 2.8.93 in O.A No.717/92, D.S.Mathur Vs. Union of India & Ors, and has therefore prayed that they should be punished for contempt of court.

2. The directions of the Tribunal given in the order dated 2.8.93 were as follows:

"4. The respondents should examine his case in detail and pass a speaking order within a period of three months and decide the case of seniority of the applicant."

3. The applicant had earlier moved a Contempt Petition, No.121/94 which was disposed of by the Tribunal on 15.12.94 in which a note was taken of the statement made by the learned counsel for the respondents that order dated 2.8.93 passed by the Tribunal had been complied with and due seniority had been given to the applicant. The contempt petition was therefore disposed of and notices issued were discharged. However, it was added in the said order dated 15.12.94 that in case the petitioner feels that there is anything wrong in the statement made on behalf of the respondents, the applicant would be at liberty to file a fresh petition. According to the learned

AW

counsel for the petitioner, this was taken by him to mean that he was given liberty to file another contempt petition and therefore, he filed the present contempt petition which is now being disposed of.

4. The direction to the respondents was to pass an order regarding seniority of the applicant and they have done so vide orders Annxs.F-1 dated 14.12.94 and F-2 dated 16.10.95. The Tribunal has already ~~been~~ given permission to the applicant that if still there remains any grievance, the applicant may file a fresh petition. In our view, the permission given was for filing of a fresh O.A and not for filing of a fresh contempt petition. Since the order of the Tribunal has since been complied with, the contempt proceedings are dropped and notices issued are discharged. The applicant may file a fresh O.A, if he is still aggrieved by the orders passed by the respondents.



(Ratan Prakash)

Member (Judl)



(O.P. Sharma)

Member (Adm.).