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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

* * *

Date of Decision: 9.2.96.

CP 75/95 (OA 864/92)

Jaswant Sharma

... Petitioner

Versus

R.Ravindra and others

... Respondents.

CORAM:

HON'BLE MR. GOPAL IPISHA, VICE CHAIRMAN

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

For the Petitioner

... Mr. Shiv Kumar

For the Respondents

... Mr. Manish Bhandari

O R D E R

PER HON'BLE MR. GOPAL IPISHA, VICE CHAIRMAN

Petitioner, Jaswant Sharma, has filed this Contempt Petition against the respondents u/s 17 of the Administrative Tribunals Act, 1985, stating therein that by not implementing the order of the Tribunal in OA 864/92 (old No.767/89) the respondents have committed contempt of court.

2. The operative portion of the order passed by this Tribunal in the aforesaid OA reads as follows :-

"6. Looking to the hardship, we direct that the appointments so made may be continued for a period of three months only from the date of the receipt of the copy of this order. The respondents will be at liberty to give the provisional appointments afresh on the basis of the merit list/marks secured till the fresh elections are made according to the rules and the persons who are eligible are allowed to appear. The provisional appointments so given shall not be continued beyond one year. However, the respondents will be at liberty to prepare the fresh panel according to the rules and in case the panel is prepared earlier, then that panel can be enforced."

3. We have heard the learned counsel for the parties and have gone through the records of the case.

4. It is categorically stated in the reply that the directions of the Tribunal have been complied with inasmuch as the panel was cancelled vide order dated 19.6.95 and pursuant to the said order all the employees, whose names were existing in the panel, were about to be reverted but

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there was a stay granted by the Tribunal in OA 259/95 and, therefore, the next step for implementation of the order could not be initiated. However, on vacation of the stay order, the respondents have reverted all such employees vide their order dated 17.8.95, at Ann.F-1. In view of the order dated 17.8.95, we find that the decision of the Tribunal has been complied with and the provisional appointment/promotion so given vide order dated 17.8.95 would not be continued beyond 22.9.95. The delay in implementing the judgement is condonable in the circumstances of the present case.

5. No case of contempt is, therefore, made out against the respondents. This Contempt Petition is dismissed. Notices issued are discharged.

(O.P. SHARMA)

MEMBER (A)

Gopal
(GOPAL KRISHNA)

VICE CHAIRMAN

VK