

(6)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

* * *

Date of Decision: 1.5.2000

CP 51/99 (OA 61/98)

Mumtaz Ahmed Khan s/o Shri Noor Mohammed Khan r/o 26, Hasanpura, Jaipur.

... Petitioner

Versus

1. Shri Y.N.Chaturvedi, Secretary, Ministry of Information and Broadcasting, New Delhi.
2. Shri R.R.Shah, Director General, Deptt.of Information and Broadcasting, Akaswani Bhawan, Sansad Marg, New Delhi.
3. Shri M.M.Chandani, Director, All India Radio, CBS, Jaipur.
4. Shri Aparna Vaish, Director, All India Radio, M.I.Road, Jaipur.

... Respondents

CORAM:

HON'BLE MR.S.K.AGARWAL, JUDICIAL MEMBER

HON'BLE MR.N.P.NAWANI, ADMINISTRATIVE MEMBER

For the Petitioner

... None

For the Respondents

... —

O R D E R

PER HON'BLE MR.S.K.AGARWAL, JUDICIAL MEMBER

This Contempt Petition has arisen out of an order passed by the respondents on 1.12.99, transferring the petitioner at All India Radio, Jaisalmer, with immediate effect.

2. It is stated by the petitioner that he preferred OA 61/98 before this Tribunal. In the aforesaid OA, this Tribunal passed an interim order on 9.3.98 staying the impugned order. Subsequently, this Tribunal on 17.7.98 confirmed the interim order and allowed the OA. A D.B.Civil Writ Petition was preferred by the respondents before the Hon'ble High Court of Judicature for Rajasthan, challenging the order of this Tribunal dated 17.7.98. The Hon'ble High Court also disposed of the Writ petition by clarifying that the order of the Tribunal does not imply that the petitioner to continue at Jaipur for all times to come. But immediately after disposal of the Writ Petition by the Hon'ble High Court, the opposite parties have passed the impugned order dated 1.12.99 transferring the petitioner from Jaipur to Jaisalmer. It is pertinent to mention here that the petitioner filed OA 574/99, which was also disposed of vide order dated 24.3.2000 by this Tribunal and it was held that this Tribunal has no justification for interfering the order of transfer dated 1.12.99 and relieving order dated 14.12.99 and the OA was accordingly dismissed.

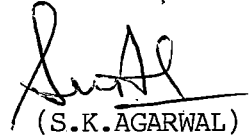
Smt. A.

3. In view of the above facts and circumstances of this case, we do not find any basis to issue notice to the opposite parties to show-cause for initiation of contempt proceedings against them as there appears to be no disobedience or intention to disobey on the part of the opposite parties. We, therefore, dismiss this Contempt Petition in limine and may be consigned to record.



(N.P. NAWANI)

MEMBER (A)



(S.K. AGARWAL)

MEMBER (J)