

FORM NO. 4  
(See Rule 42')

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH ::::::: GUWAHATI

ORDER SHEET

Contempt APPLICATION NO .... 10 .... OF 2001.

Applicant (s) Sugit Kannakar

Respondent (s) (Sukender V.O.P Singh, Deputy Director (E) SIB)

Advocate for Applicants (s)

M. Chanda, A.N. Chakravarty

Advocate for Respondent (s)

B.C. Pathak, addl. C.A.

Notes of the Registry	Date	Order of the Tribunal
This Contempt petition	24.4.01	On the prayer of learned counsel
has been filed by the		Mr. M. Chanda for the applicatn case is
Counsel for the petitioner		adjourned to 17.5.01 for orders.
praying for initiation of		 I C U Sharm Member
a Contempt proceeding	17.5.01	Vice-Chairman
against the Contemner for		
non-compliance of the judgement		
and order dt. 26.9.2000 passed		
by this Hon'ble Tribunal in		
O.A. 152/98		

Notice prepared and sent to  
DIS. for issuing Substitution  
No. 1. by Legal A.D. v/s  
DIS. No. 2053 dated 7.6.01

9.7.2001

Heard Mr. M. Chanda, learned  
counsel for the applicant and also  
Mr. B. C. Pathak, learned Addl. C. G. S. C.  
for the respondents.

Mr. B. C. Pathak has stated that  
pursuant to the order passed by the  
Bench in O.A. No. 152 of 1998 dated  
20-9-2000 the respondents regularised  
the service of the applicant and sala-  
ries admissible were paid by payment  
order dated 26-6-2001/29-6-2001. The  
period for the absence was also regula-  
rised by order dated 9-1-2001.

Mr. M. Chanda, learned counsel for  
the applicant submits that the afore-  
said order regularising the service of  
the applicant and the amount of Rs. 5690/-  
that was paid to the applicant, was not  
in conformity with the order of this  
Tribunal in the aforesaid order.

Upon hearing Mr. M. Chanda and also  
Mr. B. C. Pathak, we are of the opinion  
that on the facts situation no Contempt  
Proceeding shall be initiated. The res-  
pondents, at best, could have made an  
erroneous order pursuant to the order  
of this Tribunal which cannot be ground  
for the Contempt Proceeding.

Accordingly, the Contempt Proceeding  
is dropped. Mr. B. C. Pathak is req-  
uested to submit copies of the leave  
sanctioned order dated 9-1-2001, as well  
as Acquittance Roll dated 27-6-2001  
against Bill No. 258/2001-2002 dated  
26-6-2001/29-6-2001 in course of the  
day.

Member

Vice-Chairman

bb

Notes of the Registry	Date	Order of the Tribunal
Copy of the order dated 9.7.2001 sent to the D/Section for issuing & the same to the learned Advocate for the parties.	09.07.01	<p>Heard Mr. M. Chanda, learned counsel for the applicant and also Mr. B. C. Pathak, learned Addl. C. G.S.C. for the respondents.</p> <p>Mr. B. C. Pathak has stated that pursuant to the order passed by the Bench in O.A. 152 of 1998 dated 20-9-2001 the respondents regularised the service of the applicant and salaries admissible were paid by payment order dated 26-6-2001/29-6-2001. The period for the absence was also regularised by order dated 9-1-2001.</p> <p>Mr. M. Chanda, learned counsel for the applicant submits that the aforesaid order regularising the service of the applicant and the amount of Rs. 5690/- that was paid to the applicant, was not in conformity with the order of this Tribunal in the aforesaid order.</p> <p>Upon hearing Mr. M. Chanda and also Mr. B. C. Pathak, we are of the opinion that on the facts <del>in</del> situation no Contempt Proceeding should be initiated. The respondents, at best accepting the argument of the Chanda, could have made an erroneous order pursuant to the order of this Tribunal which cannot be ground for the Contempt Proceeding.</p> <p>Accordingly, the Contempt Proceeding is dropped. Mr. B. C. Pathak is requested to submit copies of the Leave sanctioned order dated 9.1.2001 as well as Acquittance Roll dated 27-6-2001 against Bill No. 258/2001-2002 dated 26-6-2001/29-6-2001 in course of the day.</p> <p><i>K. C. Sharma</i> Member</p> <p><i>h</i> Vice-Chairman</p> <p>bb 25 16/7/01</p>

