

FORM NO. 4
(See Rule 42)

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

ORDER SHEET

Contempt APPLICATION NO10.....OF 2001.

Applicant (S) **Sujit Karanaka**

Respondent (S) **(Sriender Singh, Deputy Director (E) SIB)**

Advocate for Applicants (s) **M. Chanda, A.N. Chakravarty**

Advocate for Respondent (s) **B. C. Pathak, add. Esq.**

Notes of the Registry

Date

Order of the Tribunal

This Contempt petition
has been filed by the
counsel for the petitioner
praying for initiation of
a contempt proceeding
against the contemner for
non-compliance of the judgement
and order dt. 26.9.2000 passed
by this Honble Tribunal in
O.A. 152/98

24.4.01

17.5.01

bb

Read before the
Honble Court for further
orders.

14.6.01

Section Officer
18/6/2001

bb

Requisite Copy not yet received

29/5/07. Requisite filed duly
29/5/07.

On the prayer of learned counsel
Mr. M. Chanda for the applicatn case is
adjourned to 17.5.01 for orders.

Member
Member

Vice-Chairman
Vice-Chairman

Issue notice to show cause as to
why the C.F. shall not be drawn up.
List on 14.6.2001.

Member
Member

Vice-Chairman
Vice-Chairman

It appears that notice to the
respondents ^{was} sent on 7-6-2001.

List on 9-7-2001 with the office
report about service of notice.

Member
Member

Vice-Chairman
Vice-Chairman

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Notice prepared and sent to
D/S. for going through
No. 1. by Legal A.D. vide
D/S. 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 Proceed-
ing 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

⑤ Service report are
still awaited.

By
13.6.01

① Service report are
still awaited.

By
6.7.01

Notes of the Registry	Date	Order of the Tribunal
<p>Copy of The order dated 9.7.2001 sent to the D/Section for issuing of the same to the learned Advocate for the parties.</p> <p><i>[Signature]</i> 11.7.01</p>	<p>09.07.01</p>	<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 of the 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>[Signature]</i> Member</p> <p><i>[Signature]</i> Vice-Chairman</p>

bb

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16/7/01

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