

**Central Administrative Tribunal  
Jabalpur Bench**

CCP No.24/07

Jabalpur, this the 12<sup>th</sup> day of June 2007.

CORAM

Hon'ble Dr.G.C.Srivastava, Vice Chairman

Hon'ble Shri A K Gaur, Judicial Member

V.K.Mishra

S/o late R.D.Mishra

R/o C.O.D. Colony, Suhagi

Jabalpur (MP).

Petitioner

(By advocate Shri A.K.Pare)

Versus

1. Shri K.P.Singh  
Secretary  
Ministry of Defence  
New Delhi.

2. Shri Sudepto Ghosh  
Director General  
Ordnance Factories  
Ordnance Factories Board  
10-A, Shaheed Khudiram Bose Marg  
Kolkata

3. Shri C.Shiv Kumar  
General Manager  
Vehicle Factory  
Jabalpur.

Respondents.

(By advocate

ORDER

By A.K.Gaur, Judicial Member

By means of this CCP, the petitioner has alleged willful disobedience of the Tribunal's order dated 10.3.2006 passed in OA No.944/2005. This Tribunal vide its order dated 10.3.2006 directed the respondents to take a decision in the light of rules in vogue and to consider the question of grant of earned leave in view of the curtailment of vacation holidays from 95 to 65 as done by the State Government.

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2 We have heard Shri A.K.Pare, learned counsel for the petitioner and perused the order dated 10<sup>th</sup> March 2006. It is settled principle of law that the legality, propriety and correctness of the order cannot be adjudicated by this Tribunal sitting in contempt jurisdiction. We are fully convinced that the order and direction of the Tribunal has fully been complied with and the case of the applicant has been considered. In view of these facts, and the law laid down by Hon'ble Apex Court reported in AIR 1996 SC 2758 - V.Kanak Rajan's case, the contempt petition has no merit, and accordingly it is dismissed. However, in case the petitioner is still aggrieved, he may approach this Tribunal with a fresh OA.

*A.K. Gaur*  
(A.K. Gaur)  
Judicial Member

*G.C. Srivastava*  
(Dr. G.C. Srivastava)  
Vice Chairman

aa.

पृष्ठान्कन सं ओ/न्या.....जबलपुर, दि.....

प्रतिलिपि अद्योतित:-

- (1) सचिव, उच्च न्यायालय, जबलपुर
- (2) अतिरिक्त सचिव, जबलपुर
- (3) प्रमुख सचिव, जबलपुर
- (4) कानून, उच्च न्यायालय, जबलपुर

सूचना एवं आवेदनक कानून, जबलपुर  
उप रजिस्ट्रार

*Shri A.K. Pare H.C.B.P.*  
*Shri P. Shankar H.C.B.P.*

*788ed*  
*18/6/07*