

CENTRAL ADMINISTRATIVE TRIBUNAL,
JABALPUR BENCH,
JABALPUR

Contempt Petition No. 2 of 2006
in Original Application No. 928 of 2005

Jabalpur, this the 27th day of June, 2006

Hon'ble Dr. G.C. Srivastava, Vice Chairman
Hon'ble Shri A.K. Gaur, Judicial Member

Raj Kumar Choubey, S/o.
Shri Hari Prasad Choubey,
Aged about 50 yrs., Occupation-
Durban, T.No. S.O.102/001285,
Ordinance Fy. Khamaria, Jabalpur,
R/o. Shivaji Ward, Panagar,
Distt.-Jabalpur (MP).

Applicant

(By Advocate – Shri A.K. Pandey)

V E R S U S

1. Union of India, through – its
Secretary, Deptt. of Defence (Production),
New Delhi.
2. Shri P.K. Mishra, Chairman/DGOF,
10-A, Shaheed Khudi Ram Bose Ram
Marg, Calcutta.
3. Shri A.M. Naik, Senior General Manager,
Ordinance Fy. Khamaria,
Jabalpur (MP).

Respondents

(By Advocate – Shri Gautam Prasad on behalf of Shri S.A.
Dharmadhikari)

O R D E R

By Dr. G.C. Srivastava, Vice Chairman –

Through this application, the applicant has alleged that the respondents are deliberately flouting the order of this Tribunal passed in OA No. 928 of 2005 on 24th October, 2005.



2. In OA No. 928/2005, the applicant had challenged the order passed by the respondents on 8.9.2005 transferring him from Ordnance Factory, Jabalpur to Ordnance Factory, Tiruchanappalli. This Tribunal quashed the order and directed the respondents "to grant financial benefits to the applicant as per rules within a period of three months from the date of receipt of a copy of this order". The applicant has alleged that the respondents have not allowed him to join duty and have not made any payment in respect of salary and bonus etc.

3. In their counter reply filed on 6.5.2006, the respondents have submitted that they had filed WP No. 16498 of 2005 before the Hon'ble High Court of Madhya Pradesh and by its judgment dated 3.4.2006 the Hon'ble High Court has set aside the order of the Tribunal in OA No. 928/2005 (wrongly mentioned as 982/2005 in the counter reply).

4. We have perused the order of the Hon'ble High Court and we find that the order of this Tribunal in OA No. 928/2005 (and other linked OAs) has been set aside. In view of this the question of flouting of the Tribunal's order by respondents does not arise. We therefore, hold that no contempt of this Tribunal has been committed by the respondents and the application is accordingly dismissed.

(A.K. Gaur)
Judicial Member

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

“SA”

पूर्णांकन सं ओ/व्या.....	जबलपुर, दि.....
प्रतिलिपि अब्दो धित -	
(1) सचिव, उच्च व्यापारिक वाय एसोसिएशन, जबलपुर	
(2) आनंद क श्री/मिस्ट्री/स्नू.....	के काउंसल
(3) प्रत्ययी श्री/मिस्ट्री/स्नू.....	के काउंसल
(4) बाध्यपाल, वै.एस.सी., उच्च व्यापारिक असोसिएशन	
सर्वना एवं आवश्यक कार्डकोटी हेतु	

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