

Central Administrative Tribunal
Jabalpur Bench

CCP No.66/05

Friday this the 24th day of March, 2006

C O R A M

Hon'ble Dr.G.C.Srivastava, Vice Chairman
Hon'ble Mr.G.Shanthappa, Judicial Member

Raj Kumar Pandey
S/o late N.P.Pandey
Retired Storeman
O/o the Garrison Engineer
Sougar
R/o H.No.1205
Vijay Nagar
Jabalpur.

Petitioner

(By advocate: None)

Versus

1. Union of India through
Shri Ajay Vikram Singh
Secretry
Ministry of Defence
New Delhi.
2. Maj.Gen.Daljit Singh
Chief Engineers
Engineers Branch
H.O. Central Command
Lucknow.
3. Col.B.Mallick
Commander Works Engineers (CWE)
H/Q, Jabalpur Cantt.

4. Col.V.S.K.Reddy
Commander Works Engineer (CWE)
HQ, Bhopal.

5. Maj.H.Raghuvanshi
Garrison Engineer
Sougar Cantt.
Sagar (MP).

Respondents.

(By advocate: Shri P.Shankaran)

ORDER (oral)

By Mr.G.Shanthappa, Judicial Member

The above application has been filed against the non-compliance of the directions of this Tribunal dated 18.6.2004 in OA No.459/04. The directions of this Tribunal as per para 4 of the order reads as follows:

“In the facts and circumstance of the case, we dispose of this application at the admission stage itself by directing the respondents to consider and decide the representation dated 15.1.2004 (A-2) by passing a detailed, reasoned and speaking order within 3 months from the date of receipt of this order.”

2. Subsequent to the directions, the respondent - the Chief Engineer HQ Central Command, Lucknow passed a speaking order dated 1.11.04. The applicant has produced the said order as per Annexure C4. The grievance of the petitioner in the present Contempt Petition is that the respondents, vide letter dated 1.11.04 merely reply deciding the matter arbitrarily and by undermining the Tribunal's order. The respondent No.2 without assigning any reason whatsoever and illegally, just for the name sake disposed of the matter without following the Tribunal's directions.



4. The competent authority was directed to comply with the directions as per C-4. The petitioner is challenging the said order in the present contempt petition but the same cannot be challenged in contempt of courts case. The averments made in Para 2 of the contempt petition is that the impugned order is not a speaking order. Respondents have taken a decision. Then we find that there is no disobedience or disrespect shown to the orders of the Tribunal.

6. We heard Shri P.Shankaran, the counsel for the respondents. We do not find any disobedience to the orders of the Tribunal, as alleged by the petitioner. Accordingly we dismiss the Contempt Petition and discharge the notice. No costs.

(Dr. G. C. Srivastava)
Vice chairman

पृष्ठान्न सं ओ/ब्या.....जयलपुर, दि.....

परिवर्तिवि आयो धित:-

(1) लाकेव, वडा ब्यावतान ब्या एवोवित्तान, जयलपुर

(2) लाकेव, वडा ब्यावतान ब्या एवोवित्तान, जयलपुर

(3) लाकेव, वडा ब्यावतान ब्या एवोवित्तान, जयलपुर

(4) लाकेव, वडा ब्यावतान ब्या एवोवित्तान, जयलपुर

सुतजा एव लाकेव वडा ब्यावतान ब्या एवोवित्तान, जयलपुर

भारत सरकार
P. Shan Karm

7 Gen
 2
 30/3/06