

CENTRAL ADMINISTRATIVE TRIBUNAL

JABALPUR BENCH, JABALPUR

Caravans Building, 15, Civil Lines, Post bag No. 6, JABALPUR- 482 001

Dated . 12/10/04 .

Registration No. C.C.P. 88/04

K.K. Shivaram

Applicant (s)

VERSUS

B.P. Khan

Respondent (s)

A copy of the ORDER dated 10/10/04 passed by the Hon'ble Tribunal in the above mentioned case is forwarded herewith for necessary action.

08.10.2004

Applicants by Shri M. Sharma.

Respondents by Shri M.N. Banerjee.

This contempt petition is filed for disobedience of the order passed in OA No. 724/2004 on 2/9/2004. The learned counsel for the applicants has argued that the order dated 20.8.2004 is never communicated to the applicants and in pursuance of the this order dated 20.8.2004, the order reverting the applicants has been passed and has been communicated to the applicants on 16.9.2004 i.e. after 14 days of passing of the interim order of maintaining the status quo by the Tribunal. Mere passing the order is not sufficient unless it is duly communicated to the applicants.

In reply the learned counsel for the respondents argued that the applicants themselves have filed the order dated 20.8.2004 i.e. regarding cancellation of the selection in their OA. before the passing the order of status quo by this Tribunal. Hence, they have not flouted the interim order passed by this Tribunal and the applicants were well within the knowledge of their reversion before passing the interim order.

The learned counsel for the applicants further argued that the applicants are working on the promotion post which can be ascertained by the records of the respondents. This is a matter of record.

We at this stage do not find any wilful disobedience on the part of the respondents in not complying with the orders of the Tribunal as they have passed the reversion orders before the interim order was passed by the Tribunal of status quo.

Hence, this CCP has no merit and is accordingly dismissed.

Sd/-

(Magan Mohan)

JM

Sd/-

(M.P. Singh)

VC



सत्य प्रतिलिपि

उप रजिस्ट्रार

DY. REGISTRAR

केन्द्रीय प्रशासनिक अधिकरण

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जबलपुर बेंच, जबलपुर

JABALPUR BENCH, JABALPUR