

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

JAIPUR BENCH, JAIPUR

Jaipur, the December, 22nd 2006

CONTEMPT PETITION NO. 42/2006

IN

ORIGINAL APPLICATION NO. 502/2004

CORAM:

HON'BLE MR. M.L. CHAUHAN, MEMBER (JUDICIAL)

HON'BLE MR. J.P. SHUKLA, MEMBER(ADMINISTRATIVE)

S.K. Shukla son of Shri R.KI. Shukla aged about 59years, at present working as Deputy Director of Income Tax (Investigation) (HQ), resident of 47 Everest Colony, Lal Kothi, Tonk Road, Jaipur.

Applicant present in person.

....Applicant

Versus

- 1 Shri K.M. Chandrasekharan, Secretary, Department of Revenue, Ministry of Finance, Central Secretariat, New Delhi.
- 2 Shri M.H. Kherawala, Chairman, Central Board of Direct Taxes, North Block, Central Secretariat, New Delhi.

By Advocate : -----

....Respondents.

ORDER (ORAL)

The applicant has filed this Contempt Petition against the alleged violation of the order dated 22.11.2006 passed by this Tribunal in Contempt Petition No. 59/2005 (Original No. 502/2004). Alongwith this Contempt Petition, the applicant has annexed copy of the order dated 06.12.2006, perusal of which shows that the applicant has been promoted to officiate as Deputy Commissioner of Income Tax in the pay scale of Rs.10000-15200/- w.e.f. 01.01.2005 without prejudice to the stand taken by the respondents in the SLP against the order of Rajasthan High Court. Grievance of the applicant is that the judgement of this Tribunal has not been fully complied with inasmuch as he is entitled for promotion on the aforesaid post w.e.f. 01.10.2003 instead of 01.01.2005.

2. We have considered the submissions made by the applicant, who is present in person, and we are of the view that this is not a case where notice on Contempt Petition should be issued. In fact, the applicant is aggrieved that he is entitled for promotion w.e.f. 01.10.2003 instead of 01.01.2005. It will be permissible for him to file a substantive OA and certainly this Contempt Petition is not a proper remedy. Accordingly, this contempt Petition is disposed of at admission stage.


(J.P. SHUKLA)

MEMBER (A)


(M.L. CHAUHAN)

MEMBER (J)

VK