

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

ORDERS OF THE BENCH

Date of Order: 03.12.2013

CP No. 67/2013 (OA No. 390/2013)

Mr. Pradeep Kalwania, counsel for petitioner.
Mr. Mukesh Agarwal, counsel for respondents.

This Contempt Petition has been filed by the applicant for non-compliance of the order dated 23.05.2013 passed by this Bench of the Tribunal in OA No. 390/2013 (A.B. Mathur vs. Union of India & Ors.)

Vide order dated 23.05.2013, this Bench of the Tribunal had directed the respondents not to give effect to the transfer order dated 17.05.2013 (Annexure A/1 of the OA) till the disposal of the representation of the applicant, if the applicant has not already been relieved.

Learned counsel for the applicant submitted that Shri Srawan Lal Meena was allowed to join at Jaipur on 28th of May, 2013 by the respondents whereas the representation of the applicant was decided on 07.06.2013.

On the contrary, learned counsel for the respondents submitted that the order of the Tribunal was that the applicant may not be relieved till the disposal of the representation by the respondents. The respondents decided the representation of the applicant on 07.06.2013 and the applicant was relieved on 14.06.2013 (afternoon). In support of his averments, the respondents have placed on record the Office Order dated 14.06.2013 (Annexure CPR/2).

It is clear that the applicant was relieved by the respondents only after the decision on the representation of the applicant as directed by this Tribunal. Therefore, substantial compliance of the order in question has been made by the respondents. There is no merit in the Contempt Petition and the same is dismissed accordingly. Notices issued earlier to the respondents are discharged.

However, it is made clear that we are not expressing any view on the merits of the OA while dismissing this Contempt Petition.


(ARVIND ROHEE)
JUDICIAL MEMBER


(ANIL KUMAR)
ADMINISTRATIVE MEMBER