

CENTRAL ADMINISTRATIVE TRIBUNAL  
JAIPUR BENCH, JAIPUR

**ORDERS OF THE BENCH**

**Date of Order: 12.03.2014**

CP No. 52/2013 (OA No. 455/2013)

Mr. C.B. Sharma, counsel for petitioner.  
Mr. Anupam Agarwal, counsel for respondents.

Heard learned counsel for the parties.

Learned counsel for the respondents submits that the order dated 12.06.2013 passed by this Bench of the Tribunal in OA No. 455/2013 has been complied with by the respondents.

Learned counsel for the applicant vehemently opposed the submissions made by the learned counsel for the respondents. He submitted that vide interim order dated 12.06.2013; the respondents were directed not to give effect to the impugned order dated 29.05.2013.

Learned counsel for the respondents submitted that the OA was finally decided by this Tribunal with the direction to the respondents to re-examine the case of the applicant about the correct date of birth of the applicant vide its order dated 19.11.2013 in OA No. 455/2013. In compliance of these orders, the respondents have re-examined the issue regarding the date of birth of the applicant and have come to the conclusion that the date of birth of the applicant cannot be changed. He placed a copy of the order dated 09.01.2004 as Annexure CPR/2. Further, he submitted that the interim order of the Tribunal is dated 12.06.2013 while the applicant stood retired on 31<sup>st</sup> May, 2013 according to the date of birth of the applicant in his service record. Under these circumstances, the applicant could not be taken back in service.

We have gone through the order of the Tribunal, reply / additional reply filed by the respondents as well as the documents annexed therewith, and we are satisfied that the substantial compliance of the order dated 12.06.2013 passed by this Bench of the Tribunal has been made by the respondents.

In view of the above, the Contempt Petition does not survive. Therefore, the Contempt Petition is dismissed. Notices issued earlier to the respondents are discharged.

  
(M. NAGARAJAN)  
JUDICIAL MEMBER

  
(ANIL KUMAR)  
ADMINISTRATIVE MEMBER