

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI**

**CP No.404/2016
In
OA No.4363/2012**

New Delhi, this the 17th day of July, 2017

Hon'ble Mr. V. Ajay Kumar, Member (J)
Hon'ble Mr. Shekhar Agarwal, Member (A)

Rajender Singh Tushir & Ors.

.... Petitioners

(By Advocate: Shri Puneet Verma)

VERSUS

UOI & Ors.

.... Respondents.

(By Advocate: Shri Sameer Agrawal for R-2
Shri Ashok Kumar for R-1)

ORDER (ORAL)

By Hon'ble Mr. V. Ajay Kumar,

Heard both sides.

2. The OA No.4363/2012 has been disposed of by this Tribunal on 22.09.2015 as under :-

"12. In the wake, the present OA is disposed of with a direction that the appointment of the applicants herein in BSNL should be treated as appointment on absorption with effect from the dates they were given fresh appointment letters. It is made clear that no benefits other than mentioned in policy decision dated 30.09.2000 and OM dated 05.11.2004 would accrue to the applicants. No costs."

3. When the MA No.1374/2016 was moved by the Respondent No.2 seeking extension of time for implementation of the aforesaid order, this Tribunal noticing that the orders of this Tribunal have not been complied with issued suo moto contempt notices to the respondents and accordingly the CP No.404/2016 is numbered. The respondent no.1 and 2 have filed their replies on 07.03.2017 and 27.10.2016. Shri Ashok Kumar and Shri

Sameer Agrawal, learned counsel appearing today on behalf of respondent no.1 and respondent no.2 while objecting the registration of suo moto Contempt case, respectively submit that the OM dated 05.11.2004, which was referred in the operative portion of the order of this Tribunal in the aforesaid OA, itself clearly indicates that the respondents were treating the applicants as absorbed with effect from the date of their fresh appointment orders, hence, there is no need to issue any fresh order stating that they are treating the applicants as absorbed from the date of fresh appointment. Since the respondents in their counters categorically submitted that they are treating all the applicants as absorbed with effect from the dates, they were given fresh appointments, as directed by this Tribunal in the aforesaid order, no further orders are necessary in the CP. In view of this, without going into the validity of the action of this Tribunal, in taking suo moto contempt proceedings, the CP is closed. Notices are discharged. No costs.

(Shekhar Agarwal)
Member (A)

(V. Ajay Kumar)
Member (J)

/uma/