CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

CP NO. 347/2011
in
OA NO. 864/2003

New Delhi, this the 30th day of March, 2011

HON'BLE MR. JUSTICE P.SWAROOP REDDY, MEMBER (J)
HON'BLE DR. VEENA CHHOTRAY, MEMBER (A)

Central Electrical & Mechanical Engineering Service (Group-A),
Direct Recruits Association through its
President, Room No.117, Vidyut Bhawan,
Shankar Market,
New Delhi-110001.

...Applicant

(By Advocate: Ms. Sriparna Chatterjee)

VERSUS

1.   Navin Chawla,
      Secretary,
      Ministry of Urban Development,
      Union of India,
      Nirman Bhawan,
      New Delhi-110001.

2.   C.S.Prasad,
      Director General,
      Central Public Works Department,
      Nirman Bhawan,
      New Delhi-110001.

...Respondents

O R D E R (ORAL)

Justice P.Swaroop Reddy

This Contempt Petition is filed for non-implementation of the order dated 17.12.2003. The matter was carried up to Hon'ble Supreme Court under CP No.48/2008 in Appeal (C) No.5086/2007 and on 4.4.2008, the contempt petition was dismissed, as withdrawn. by the Hon'ble Supreme Court. The relevant order reads as follows:
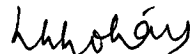
> "Learned counsel states that as the order of the Tribunal has since been implemented, he seeks leave of the Court to withdraw the contempt petition. The contempt petition is dismissed as withdrawn accordingly."
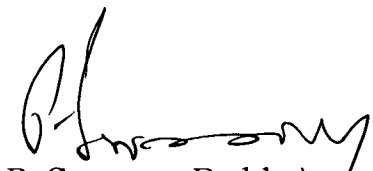
2. Thus, it was reported before the Hon'ble Supreme Court that the order of the Tribunal was implemented and permission was sought for withdrawing the CP, which was dismissed.

3. Learned counsel for applicant contends that though initially the respondents passed order dated 3.4.2008 for implementing the impugned order but subsequently they withdrew it. Whether this factual position is correct or not, as the matter has already been dealt with by the Hon'ble Supreme Court and the CP was dismissed, may be as withdrawn, we are of the opinion that the applicant can file a fresh petition only before the Hon'ble Supreme Court and not before this Tribunal.

4. CP stands disposed of accordingly.

(Dr. Veena Chhotray)
Member (A)

(P. Swaroop Reddy)
Member (J)

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