

18.3.2003

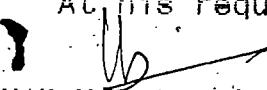
1.

CP 101/2003 in  
OA 2420/2002

Present : Shri Surinder Singh, learned counsel for the petitioners.

We find that C.P. is lacking in relevant details pertaining to the service of the judgement of the Tribunal dated 4.10.2002 in OA 2420/2002.

At his request, list on 4.4.2003.

  
(V.K. Majotra)  
Member (A)

  
(Smt. Lakshmi Swaminathan)  
Vice Chairman (J.)

sk.

(3)

4-4-2003

5.

CP 101/2003  
1/3

O A=2420/2002

Present: None for the petitioners even on the second call.

Certain directions were given by the previous order of the Tribunal dated 18-3-2003 and the case was listed today at the request of learned counsel for the petitioners.

As last opportunity given to the petitioners to be present on the next date of hearing, listed on 29-4-2003.

2  
(Govindan S. Tampli)  
Member (A)

8  
(Smt. Lakshmi Swaminathan)  
Vice Chairman (J)

SK

29-4-2003

(Y)

3.

CP-101/2003

in

OA-2420/2002

Present. Shri Surinder Singh, learned  
counsel for the petitioners.

Heard Shri Surinder Singh,  
learned counsel for the petitioners.

Issue notice to the alleged  
contemner/respondents in CP 101/2003,  
returnable in four weeks.

List on 25-6-2003. Personal  
presence is exempted for the present.

V.K. Majatra  
(V.K. Majatra)  
Member (A)

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(Smt. Lakshmi Swaminathan)  
Vice Chairman (J)

CP 101/2003 in  
OA 2420/02  
25/6/03

CP dismissed by an oral order  
dictating at the open court by a  
Member of Parliament (Lakshmi Swaminathan, V.C.) and  
Mr. M. R. K. (R. K.) Padhgeya, M(A)

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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

CP No. 101/2003 in  
OA 2420/2002

New Delhi this the 25th day of June, 2003

Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman (J)  
Hon'ble Shri R.K. Upadhyaya, Member (A)

1. Shri Hari Ram  
S/O Shri Sarju,  
R/O P-6, Kiroi Place  
(Servant Quarters )  
Delhi Cantt.
2. Shri Raj Kishore  
S/O Shri Laxmi Shanker,  
R/O RZ 26 P/182, A/7,  
Indra Park, Palam Colony  
New Delhi.
3. Shri Ramesh  
S/O Shri Laxman,  
R/o Tulsi Ram Bagechi,  
H.No.EZ 1475, Nangal,  
New Delhi.
4. Shri Ram Nath  
S/o Shri Ram Avtar,  
R/O Kothi No. 10,  
Kotwali Road, Delhi Cantt.
5. Shri Kanyalal,  
S/O Shri Sukh Ram  
R/O House No. 479,  
Jarhala Gaon, Delhi Cantt.
6. Shri Shankar,  
S/O Shri Bhagwati,  
R/O RZ 140, C Kailashpur,  
Gali No.2, New Delhi.
7. Shri Uday Raj,  
S/o Shri Jagdish Prasad,  
R/O 139 E, Mahavir Enclave,  
Gali No.69, Phase III, N/Delhi
8. Shri Baby Lal  
S/O Shri Kalu Das,  
R/O RZ 24, Brahmpuri,  
Prabha Road, Via Nangal,  
New Delhi-46

..Petitioners

(By Advocate Shri C.S.S. Tomar )

VERSUS

1. Col. P.P. Singh,  
Commanding Officer,  
226 Coy  
A.S.C. Supply Type -G,  
Delhi Cantt.

..Respondents

(By Advocate Shri R.N. Singh )

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O R D E R (ORAL)

(Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman (J))

The main issue in this case is with regard to the compliance of Tribunal's order dated 4.10.2002 in OA 2420/2002 which has been filed by the applicants who are petitioners in CP 101/2003. Learned counsel for the petitioners vehemently contends that the order issued by the respondents dated 15.6.2003 read with the order dated 19.6.2003 is inordinately delayed which shows contumacious behaviour on the part of the respondents. This has been controverted by Shri R.N.Singh, learned counsel who has submitted that the aforesaid order of the Tribunal has been passed without issuing notice to the respondents, although he frankly admits that there has been some delay on the part of the respondents, for which he has submitted that the respondents have tendered their regrets. Learned counsel further tenders unconditional apology on behalf of respondents.

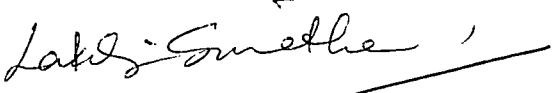
2. We have perused the orders issued by the respondents dated 15.6.2003 and 19.6.2003 regarding the claim of the applicants. In the facts and circumstances of the case and noting particularly also the fact that no notices <sup>18</sup> have been initially issued to the respondents and the aforesaid order dated 4.10.2002 has been passed ex-parte, we consider that this is a fit case to accept the unconditional apology of the respondents for the delay which has occurred. ~~Further~~, we do not find any wilful or contumacious disobedience of Tribunal's order to justify

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being  
further action ~~to be~~ taken against them under the provisions of the Contempt of Courts Act, 1971 read with Section 17 of the Administrative Tribunals Act, 1985. In this view of the matter, CP 101/2003 is dismissed. Notice issued to the alleged contemner is discharged. File be consigned to the record room.



( R.K.Upadhyaya )  
Member (A)



( Smt.Lakshmi Swaminathan)  
Vice Chairman (J)

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