

(14)

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

CP No.350 of 2003

IN

OA No.156 of 2002

New Delhi this the 06th day of May, 2010

**HON'BLE DR. RAMESH CHANDRA PANDA, MEMBER (A)
HON'BLE DR. DHARAM PAUL SHARMA, MEMBER (J)**

1. Ms. Garima Seth,
D/o Shri B.R. Seth,
Data Entry Operator,
National Pharmaceutical Pricing Authority,
Jhandewalan Extension,
New Delhi.

R/o D-861, Mandir Marg,
Peshwa Road,
New Delhi.
2. Shri Gangadhar Ghadai,
S/o Shri Pasu Ghadai,
Data Entry Operator,

R/o 530-A, Khokarwali Gali No.2,
Lado Sarai,
New Delhi-30.
3. Shri Mukesh Mohindru,
S/o Shri P.P. Mohindru,
Data Entry Operator,

R/o C-5-D/11A, Janakpuri,
New Delhi-58.
4. Ms. Meena Ramonand,
D/o Shri Ramonand Pardasani,
Data Entery Operator,

R/o 14/87-A, Vikram Vihar,
Lajpat Nagar-IV,
New Delhi-24.
5. Ms. Jagjit Kaur,
D/o Shri Gurmukh Singh,
Data Entery Operator,

R/o B-1/193, Yamuna Vihar,
New Delhi-53.



6. Ms. Harjeet Kaur,
D/o Shri Joginder Singh,
Data Entry Operator,

R/o 121/1, Lane No.5,
Safdarjung Enclave,
New Delhi.

7. Ms. Swaran Beniwal,
D/o Late Shri J.N. Beniwal,
Data Entry Operator,

R/o 133, Mandir Marg,
(Opp. Banwarilal Hospital)
New Delhi.

8. Ms. Neetu Rajora,
W/o Shri Bharat Kumar,
Data Entry Operator,

R/o 33, Bhagwan Nagar,
Ashram, Delhi.

9. Mrs. Gagan Singh,
W/o Shri Rahul Singh,
Data Entry Operator,

R/o A-4/5-10, Nav Bharat Appts.,
Paschim Vihar,
New Delhi-63.

10. Ms. Sonia Bathla,
D/o Shri Nand Lal Bathla,
Data Entry Operator,

R/o 204, Dhakka,
Near Kingsway Camp,
New Delhi-9.

.... Applicants

(None present)

VERSUS

Shri Pradip Mehra,
Member Secretary,
National Pharmaceutical Pricing Authority,
5th Floor, YMCA Cultural Centre,
Jai Singh Road,
New Delhi- 110001.

..... Respondents

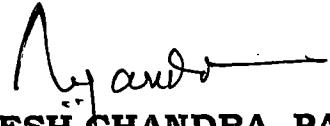
My a/s

O R D E R (ORAL)**Dr. RAMESH CHANDRA PANDA, MEMBER (A) :**

The applicant moved the CP against the respondents for non-compliance of the directions of this Tribunal in OA 156/2002 decided on 28.1.2003. On the last date of hearing, i.e., on 6.1.2005, it was noted that Writ Petition (C) No.6441/2003 was filed challenging the said order of this Tribunal and on the basis of the said information, the CP was put in *sine die* list with liberty to the parties to revive the same after the decision of the Hon'ble High Court was made available.

2. Neither the applicant nor his counsel has moved this Tribunal to revive the CP so far even after a period of five years elapsed.
3. It is noted that the Hon'ble High Court has already stayed the operation of the Tribunal's order. Hence, during the pendency of the Writ Petition or stay of the operation of the Tribunal's order, the respondents/contemnors are not duty bound to implement the directions of the Tribunal. For contempt proceedings willful non-compliance is necessary but non-compliance is not willful and deterrent action in Contempt of Courts Act would not arise.
4. In view of the above, CP is closed with liberty to the applicant to agitate any appropriate proceedings, if so advised.


(Dr. DHARAM PAUL SHARMA)
 Member (J)


(Dr. RAMESH CHANDRA PANDA)
 Member (A)

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