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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

CP NO. 261/2003 IN
OA NO. 97/2002

This the 21st day of September, 2004

HON'BLE MR. JUSTICE M.A.KHAN, VICE CHAIRMAN (J)
HON'BLE MR. S.A.SINGH, MEMBER (A)

Sh. Prashant Raj Dev,
361, Kalyan Vas,
Delhi-110091.

(None)

Versus

1. Mr. R.M.Tiwari,
Deputy General Manager (A),
Mahanagar Telephone Nigam Limited,
Khurshid Lal Bhawan, Janpath,
Cannaught Place, New Delhi-110050.
2. Ms. S.A.Tirimzi,
D.D.G. (Finance and Personal)
Department of Telecom,
Sanchar Bhawan,
New Delhi-110001.

(By Advocate: Sh. V.K.Rao alongwith Sh. Satish Kumar)

ORDER (ORAL)

By Hon'ble Mr. Justice M.A. Khan, Vice Chairman (J)

Applicant is not represented. Nobody appeared on his behalf even on the last two dates of hearing.


2. Counsel for respondents pointed out that order of this Tribunal dated 30.9.2002 has already been complied with and has drawn our attention to their letter dated

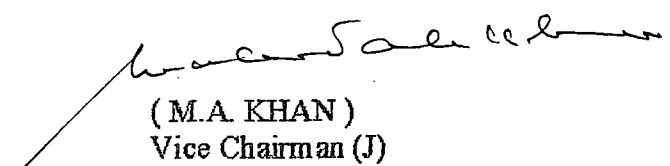
18.8.2004 which is Annexure-B to the reply affidavit filed by Sh. R.M.Tiwari, Deputy General Manager. The respondents, parent department of the applicant, has already written to the Assistant Manager – Personnel, (Establishment Div., HRD Department), Mumbai Airport for relieving the applicant. Thereby they have allowed the repatriation of the applicant to his parent department. (12)

3. Counsel for respondents has submitted that an additional affidavit tendering unqualified apology for the delay occurred in issuing the order has also been filed. The said affidavit is ^{not} on record but copy thereof has been produced. Registry shall add it to the file.

4. We have perused the contempt application the order of Tribunal dated 30.9.2002 and letter of the respondents dated 18.8.2004. As the respondents had already written to the Assistant Manager, Personnel, Mumbai Airport for relieving the applicant, they have now implemented the order of this Tribunal passed in the OA. Indeed, there is delay in implementing the order but now the respondents General Manager has tendered unqualified apology for the delay.

5. In the facts and circumstances and also taking note of the continued absence of the applicant in the proceeding, we are inclined to accept the unqualified apology tendered on behalf of the respondents of delay in implementing the order. Further we do not find a fit case to proceed in the matter for initiation of the proceedings under Contempt of Court further. We discharge the notices. Accordingly, CP is disposed of.


(S.A. SINGH)
Member (A)


(M.A. KHAN)
Vice Chairman (J)

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