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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

CP 479/2002 in
OA 1208/2002

New Delhi this the 20th day of November, 2002

Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman (J)
Hon'ble Shri Govindan S. Tampi, Member (A)

Shri Bhagwan Dass Arya
Ex. Pharmacist,
Northern Railway Health Unit
Shahdara R/O H.No.16/303
East End Apartments Cooperative
Group Housing Society, Mayur Vihar,
Phase 1 Extn., Delhi.

..Petitioner

(By Advocate Shri S.K. Sawhney)

VERSUS

1. Shri R.K. Singh,
General Manager,
Northern Railway, Baroda House,
New Delhi.

2. Shri V.K. Aggarwal,
Divisional Railway Manager
Northern Railway, New Delhi.

..Respondents

O R D E R (ORAL)

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

We have heard Shri S.K. Sawhney, learned counsel for the petitioner in CP 479/2002 in OA 1208/2002. He has contended that the respondents by passing the order dated 23.10.2002 (Annexure P 4), have to be proceeded in contempt proceedings under the provisions of Section 12 of the Contempt of Courts Act, 1971 read with Section 17 of the Administrative Tribunals Act, 1985 because they have not implemented the Tribunal's order dated 7.5.2002 in the aforesaid OA.

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2. After perusing the Tribunal's order dated 7.5.2002 in which one of us (Smt. Lakshmi Swaminathan, Vice Chairman (J)) was also a Member, we are unable to agree with the contentions of the learned counsel that the order passed by the respondents dated 3.10.2002 is in contumacious disobedience of the Tribunal's order which justifies contempt proceedings being taken against the alleged contemnors.

3. In this view of the matter, CP 479/2002 is dismissed.

Govindan S.Tampi)
Member (A)

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