

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

CP No.454/2002 in OA No.998/2002

New Delhi, this the 20th day of March, 2003

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

Hon'ble Shri V.K. Majotra, Member(A)

Rakesh Kumar

1/299, Sadar Bazar, Delhi cantt.

....Petitioner

(Petitioner in person though his counsel is absent)

versus

1. Shri S.C. Tripathi
Secretary (Education)
Ministry of Human Resource Development
Shastri Bhavan, New Delhi
2. Prof. Dr. J.S. Rajput
Director
National Council of Educational Research & Training
Shri Aurobindo Marg, New Delhi
3. Prof. Dr. M.S. Khaparde
Joint Director
Central Institute of Educational Technology
Shri Aurobindo Marg, New Delhi
4. Shri R.B. Azad
Under Secretary, CIET
Chacha Nehru Bhavan
Shri Aurobindo Marg, New Delhi .. Respondents

(Shri Saurabh Chauhan, Advocate)

ORDER (oral)

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

CP 454/2002

We have heard the petitioner in CP 454/2002 in detail and learned counsel for respondents, Shri Saurabh Chauhan, and perused the compliance affidavit filed by the respondents dated 3.3.2003 together with the necessary orders issued by them dated 6.2.2003. This order has been issued by the respondents in compliance of the earlier order issued by the Tribunal dated 16.4.2002 read with the orders dated 2.8.2002 and dated 12.12.2002 by

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directing the Director, NCERT to consider and pass an appropriate order, who has taken into account the representations made by the petitioner in the case.

2. We are unable to agree with the contentions of the petitioner that there has been any wilful or contumacious disobedience of the Tribunal's order by not taking into account the averments of the petitioner in his representation and the same has been disposed of by a speaking order, keeping in view the law on the subject.

3. In this view of the matter, we find no justification to continue in C.P. No.454/2002. The Contempt Petition No.454/2002 is dismissed. Notices issued to the alleged contemnors are discharged. File to be consigned to the record room.

MA 634/2003

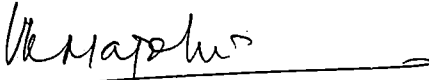
The petitioner has filed MA 634/2003 under various sections of the Civil Procedure Code, Cr.P.C and constitutional provisions mentioned therein. He has again referred to various orders of the Tribunal seeking action against the respondents for defiance and breach of the orders dated 2.8.2002 passed by the Tribunal and to take appropriate action against them.

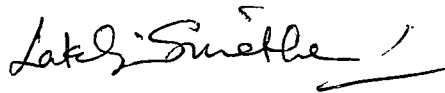
2. As mentioned above, we have found that the respondents have not committed contumacious disobedience of the Tribunal's aforesaid orders while dealing with the Contempt Petition NO.454/2002.

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3. Accordingly, MA 634/2003 is also dismissed with liberty to the petitioner to proceed in the matter in accordance with law, if so advised.


(V.K. Majotra)
Member (A)


(Smt. Lakshmi Swaminathan)
Vice Chairman (J)

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