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CENTRAL ADMTNSTRATIVE TRIBUNAL
PRTNCTPAL BENCH, NEW DELHI

C.P.NO.511/2002 TN O.A. NO.3335/2001

Thursday, this the 16th day of January, 2003

Hon'ble Shri Govindan S. Tampi, Member (A)
Hon'ble Shri Shanker Raju, Member (J)

Mahabir Singh
s/o Shri Bagharwat Singh
r/o H-1/4 PS Defence Colony
New Delhi

..Applicant

(By Advocate: Shri S.K.Gupta)

Versus

1. Shri R.S.Gupta
Commissioner of Police
Police Headquarter
MSO Building, TP Estate
New Delhi
2. Shri Ranvir Singh
Deputy Commissioner of Police
VTTTth Bn. PTS Malviya Nagar
New Delhi
3. Shri Sandeep Goyal
FRRO
West Block No.8
Sector-T, R.K.Puram,
New Delhi

....Respondents

(By Advocate: Mrs. Sumedha Sharma along with
DCP, Ranvir Singh, R-2)

O R D E R (ORAL)

Shri Govindan S. Tampi:

We have heard both the learned counsel.

2. Shri S.K.Gupta, learned counsel points out that Shri Ranvir Singh, DCP, respondent No.2, who is present in the court today, is the alleged contemnor, whereas it is contended by Smt. Sumedha Sharma, learned counsel that the letter dated 26.9.2002, which seems to have offended the applicant, has been signed by another Ranbir Singh, who was only a SO to the concerned DCP.

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3. By order dated 5.12.2002, respondent No.2 was directed to remain present in the court to answer the charge raised by the applicant. The fact remains that by the time the CP has been filed, Shri Ranvir Singh, DCP has taken over the charge at the concerned seat and, therefore, he becomes responsible for the alleged action. However, a mistake has arisen on account of the applicant's making an averment impugning the order dated 26.9.2002 which was not signed by respondent No.2. Therefore, there is no contumacious or wilful disobedience of the directions issued by the Tribunal.

4. In the facts and circumstances, the CP is dismissed, but directions are being issued to the respondents to ensure that the Tribunal's order is fully complied with and order dated 26.9.2002 is withdrawn within five days from now. Notices are discharged.

S. Raju

(Shanker Raju)
Member (J)

/sunil/

(Govindar S. Tampi)
Member (A)