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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

C.P.NO.577/2001 IN
O.A.NO.838/2001

Thursday, this the 10th day of January, 2002

Hon'ble Shri Justice Ashok Agarwal, Chairman
Hon'ble Shri M.P. Singh, Member (A)

Ex. Constable Ishwar Das (No.11777789/DAP)
S/O Late Ah. Prem Chand
R/O Village & Post Bharoli (Kotiara)
Tehsil: Dehra Distt. Kangra (HP)

...Applicant

(By Advocate: Dr. S.P.Sharma)

Versus

Sh. Ajay Raj Sharma
The Commissioner of Police
Police Headquarters
Delhi.

...Respondent

(By Advocate: Shri George Paracken)

O R D E R (ORAL)

Justice Ashok Agarwal:

In disciplinary proceedings initiated against the applicant, a penalty of dismissal from service was issued by the disciplinary authority against the applicant on 30.10.1998. Aforesaid order of the disciplinary authority has been affirmed by the appellate authority on 29.1.1999. Applicant has thereafter impugned the order of the appellate authority by filing a revision application before the revisional authority on 2.2.1999. Applicant had earlier approached this Tribunal by instituting OA, being OA-838/2001, with a grievance that despite considerable time having elapsed, no order on his revision application has been issued. Aforesaid OA was disposed of at the admission stage itself even without issue of notice to the respondents with a direction to the revisional authority, respondent No.2 therein to pass appropriate orders on the revision application expeditiously and

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(2)

within a period of two months from the date of receipt of a copy of the order.

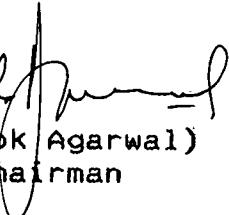
2. Present Contempt Petition has been instituted by the applicant by contending that despite the aforesaid order, respondent No.2 has failed to comply. After service of the notice of the Contempt Petition, respondent has pointed out that the revision application of the applicant had already been disposed of on 9.6.1999 and despite earnest efforts, the same could not be served upon the applicant personally. The same was required to be served by pasting at his last known address.

3. Dr. S.P.Sharma, the learned counsel appearing on behalf of the applicant has accepted service of a copy of the order passed in revision application. Since the order on revision application had already been issued prior to the passing of the order in the aforesaid OA, there can arise no question of contempt.

4. Present Contempt Petition, in the circumstances, is dismissed. Notice earlier issued is discharged. No costs.


(M.P.Singh)
Member (A)

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(Ashok Agarwal)
Chairman