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Central Administrative Tribunal, Principal Bench

Contempt Petition No.588 of 2001 in
Original Application No.941 of 2001

New Delhi, this the 15th day of October, 2001

Hon'ble Mr. Justice Ashok Agarwal, Chairman
Hon'ble Mr. Govindan S. Tampi, Member(A)

Shri S.C.Verma

...Petitioner

(By Advocate: Shri S.R.Singh)

Versus

1. Union of India
through Shri K. Kaushal Ram (By Name)
The Secretary
Central Public Works Department
Ministry of Urban Development & P.A.
Nirman Bhawan, New Delhi

2. Shri N. Krishnamoorthy (By Name)
The Director General (Works)
C.P.W.D., Ministry of Urban Development
& P.A.
Nirman Bhawan, New Delhi


...Respondents

O R D E R (ORAL)

By Justice Ashok Agarwal, Chairman

By an order passed on 18.4.2001, OA No.941/2001 was disposed of by directing respondents 1&2 to give their decision on the appeal of the applicant and his legal notice. This was directed to be done within a period of three months from the date of service of a copy of the order.

2. In terms of the aforesaid directions, respondents have issued an order of 24.7.2001 deciding the aforesaid appeal and legal notice. A copy of the order is to be found at Annexure P-3. According to the applicant, aforesaid order has been issued not by the Director General, respondent no.2 herein but by the Minister of the Ministry of Urban Development Affairs and Estate. According to the applicant, aforesaid Minister is not a



competent authority. Order in terms of our directions was required to be issued by the Director General who alone is the competent authority.

3. In our view, no case for contempt is made out on the aforestated facts and circumstances. Any order that could validly have been issued by the Director General, can well be issued by the Government, respondent no.1 herein. If applicant is aggrieved by the order, contempt petition is not his remedy. His remedy, ^{if} at all, lies elsewhere. Present contempt petition, in the circumstances, we find is misconceived. The same is accordingly dismissed in limine.

(Govindan S.Tampi)
Member(A)

(Ashok Agarwal)
Chairman

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