

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

CP 187/2001
OA 1378/1999

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New Delhi, this the 3rd day of September, 2001

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

Shri S.P. Arora
S/o Shri Ramji Dass
R/o 6712/A, Navi Karim
New Delhi - 110 055

...Applicant

(By Advocate Shri S.Y. Khan)

V E R S U S

1. Shri P.K. Tripathi
Commissioner of Sales Tax
Govt. of NCT of Delhi
Bikrikar Bhawan
IP Estate
New Delhi - 110 002

2. Shri K.L. Sharma
Sales Tax Officer
Ward No. 106
Salex Tax Department
Govt. of NCT of Delhi
Bikrikar Bhawan
IP Estate
New Delhi - 110 002

...Respondents

(By Advocate Shri Ajay Gupta)

O R D E R (ORAL)

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

We have heard Shri S.Y. Khan, learned counsel for the applicant and Shri Ajay Gupta, learned counsel for the respondents and perused the documents on record.

2. According to the learned counsel for the respondents, they have complied with the directions of the Tribunal in order dated 22-1-2001 by passing the necessary order as in Annexure R-1 & R-2. Annexure R-2 order shows the payment due to the applicant, has been paid to him on 28-5-2001. Learned counsel has,

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therefore, submitted that nothing further survives in the CP as the order of the Tribunal has been fully complied with.

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3. Shri S.Y.Khan, learned counsel for the petitioner has, however, disputed the above submissions of the learned counsel for the respondents. According to him, the respondents have straightaway issued the Annexure R-1 order granting leave to the petitioner for the relevant period from 17-11-1998 to 23-7-1999, without examining whether the applicant actually worked or not for this period. He, therefore, presses the CP.

4. Taking into account the facts and circumstances of the case, we are unable to agree with the contentions of the learned counsel for the petitioner that further action under ~~Section 17 of the Contempt of Courts Act, 1971~~, read with Section 12 of the Contempt of Courts Act, 1971, ^{read with} and Section 17 of the Administrative Tribunal's Act, 1985 is warranted in this case. We are satisfied that the respondents ^{have} not committed any contumacious or wilful disobedience of the Tribunal's order.

5. In the circumstances, CP 187/2001 is dismissed. Notices to the alleged contemnors are discharged. File be consigned to the Record Room.

(Govindan S. Tampi)
Member. (A)

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

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