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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

C.P. No. 211 OF 2003
IN
O.A. No. 39 OF 1999

New Delhi, this the 24th day of June, 2003

HON'BLE SMT. LAKSHMI SWAMINATHAN, VICE CHAIRMAN (J)
HON'BLE SHRI R.K. UPADHYAYA, MEMBER (A)

Rakesh
S/o Shri Shoraj Singh,
R/o Village & PO Atrara,
District Meerut,
(U.P.)

....Petitioner

(By Advocate : Shri S.K. Gupta)

Versus

1. Col. K.V. Singh,
Officiating D.D.G.M.F.
Quartermaster General's Branch,
Army Headquarters,
West Block-III,
R.K. Puram, New Delhi.

2. Shri B.B. Biswas,
Director,
Military Farm & Frieswal Project,
Grass Farm Road,
Meerut Cantt. Meerut (U.P.).

NOW AT :
Shri B.B. Biswas
Director,
Military Farms
Central Command
Lucknow (U.P.).

3. Shri S.P. Singh,
Office-in-Charge,
Military Farm No.2,
Mawana Road, Meerut Cantt.,
Meerut.

....Respondents

ORDER (ORAL)

HON'BLE SMT. LAKSHMI SWAMINATHAN, VICE CHAIRMAN (J):

We have further heard Shri S.K. Gupta,
learned counsel for petitioner/applicant in OA
39/1999, as we had earlier dealt with CP 211 of 2003.

2. Learned counsel for the petitioner has
submitted that ^{the} mere fact that the review application

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filed by the UOI & Ors. (RA 166/2003) has been dismissed by Tribunal's order dated 28.5.2003 will not mean that the respondents get any further time to implement the original order dated 4.2.2003 in OA. However, he fairly submits that they will require some reasonable time to do so.

3. We note from the facts of this case that the order in RA 166/2003 has been passed dismissing the Review Application filed by the respondents on 28.5.2003, which is less than a month from today. CP 211/2003 has been filed on 20.6.2003 alleging contempt of the order dated 4.2.2003, as more than four months has already expired and the respondents have intentionally done nothing to comply with the directions. Earlier we had thought that the CP may be placed in the sine die list. However, taking into account the aforesaid facts and circumstances of the case and that orders in RA have been issued less than a month earlier, we are of the considered view that as this Contempt Petition is pre-mature, it would only be reasonable to give some time to the respondents to comply with the directions of the Tribunal. In the circumstances of the case, we are unable to agree with the contentions of Shri S.K. Gupta, learned counsel that this CP is not pre-mature. Ofcourse, if the respondents do not comply with the orders of the Tribunal within a reasonable time, which would at least be more than one month after the order dated 28.5.2003, it would be open to the petitioner to

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persue his remedy in accordance with law, including a contempt petition, as advised.

4. In this view of the matter, in the interest of justice, CP 211/2003 is disposed of as pre-mature with liberty in accordance with law.



(R.K. UPADHYAYA)
MEMBER (A)



(SMT. LAKSHMI SWAMINATHAN)
VICE CHAIRMAN (J)

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