

CENTRAL ADMINISTRATIVE TRIBUNAL: PRINCIPAL BENCH

C.P.No.191/98 in
O.A.No.2035/95

New Delhi, this the 6th day of August, 1998

HON'BLE SHRI N.SAHU, MEMBER(A)
HON'BLE DR.A.VEDAVALLI, MEMBER(J)

V.S.Tyagi

....Applicant

(Applicant in person)

Versus

1. Shri S.P.Mehta,
General Manager,
Northern Railway, Baroda House,
New Delhi.
2. Sh.K.K.Chaudhary,
Ex.D.R.M./Delhi Division,
10-A, Railway Colony,
S.P.Marg, New Delhi.
3. Sh.Rakesh Chopra,
D.R.M./Delhi,
D.R.M.Office (State Entry Road),
New Delhi.
4. Shri D.A.Anand, A.D.R.M. Delhi,
D.R.M. Office, Northern Railway (State Entry Road),
New Delhi.
5. Dr.Deepali Gupta,
Senior D.M.O. Northern Railway, Health Unit,
Anand Vihar, Delhi-110092.
6. Dr.A.K.Sanger,
Sr.D.M.O.(C),
Delhi Division Hospital, S.P.Mukherjee Marg,
Delhi.
7. Dr.Maya Sharma,
Chief Medical Superintendent,
Delhi Division Hospital
Northern Railway, S.P.Mukherjee Marg,
Delhi.
8. Shri Ashwani Kumar, D.P.O.,
D.R.M.Office,
Northern Railway (State Entry Road),
New Delhi.
9. Shri S.Singh,
A.P.O., D.R.M.Office,
Northern Railway (State Entry Road),
New Delhi.

....Respondents

(By Advocate Shri R.L.Dhawan)

O R D E R (ORAL)

BY HON'BLE SHRI N. SAHU, MEMBER(A)

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In this contempt petition filed on 5.6.98, the applicant brings to the notice of the court that the respondents flouted the directions of this court in the order dated 3.10.96 in O.A.2035/95. It is further prayed that the directions be issued to the respondents to release the arrears of salary with effect from 25.9.95. The operative portion of the order dated 3.10.96 is to the effect that the impugned transfer order dated 25.9.95 is quashed and set aside.

2. Ld. counsel for respondents Shri R.L.Dhawan has brought to our notice annexure R-2 dated 17.12.96 of the counter to Contempt Petition pursuant to the order of this court dated 3.10.96. By this order, the respondents have cancelled the impugned transfer order and the applicant was directed to be taken on duty in H.O./ANVR. Shri Dhawan also pointed out that this application was filed after a gap of nearly 19 months. Under Section 20 of the Contempt of Courts Act, there is a bar to institute contempt proceedings either suo moto or at the instance of the complainant after expiry of one year's limitation.

3. Having regard to the provisions of Section 20 of the Contempt of Courts Act, ibid we are afraid that this contempt petition cannot be entertained. The applicant is at liberty, if advised, to file a fresh O.A. about his substantive grievance that the pay and allowances from 25.9.95 onwards have not been paid to him and also against his grievance that he was not asked to render his duty as per the orders at annexure R-2. In contempt proceedings, there is no further scope to discuss

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or dispose of any other substantive matter particularly when such point is not covered by the order dated 3.10.99 in O.A.2035/95.

4. In the result, C.P.No.191/98 is dismissed. Rule nisi discharged.

A. Vedavalli
(DR.A. VEDAVALLI)
MEMBER(J)

N. Sahu
(N. SAHU)
MEMBER(A)

/mishra/