

CENTRAL ADMINISTRATIVE TRIBUNAL : PRINCIPAL BENCH

CP No.249/95 in  
OA No.1902/95

New Delhi this the 13th day of February, 1996.

Hon'ble Smt. Lakshmi Swaminathan, Member (J)

Hon'ble Sh. K. Muthukumar, Member (A)

Anil Sharma,  
Junior Engineer CPWD,  
R/oD-135, Sarojini Nagar,  
New Delhi.

...Petitioner

(None for the petitioner even on the second call)  
Versus

Sh. S.A.S. Iyyar,  
Executive Engineer,  
Central Public Works Department,  
'J' Division, East Block,  
Rama Krishna Puram,  
New Delhi.

...Respondent

(By Advocate Sh. R.V. Sinha)

Order (Oral)  
(Hon'ble Smt. Lakshmi Swaminathan, Member (J))

This Contempt Petition is filed by the petitioner, challenging the order dated 23.9.95 (Annexure A-4). In this order a reference has been made to the directions of the Supreme Court in Writ Petition (Civil) No.585/94 (Shiv Sagar Tiwari vs. Union of India and others) dated 4.11.95. The order further states that the premises in occupation of the petitioner is one of the premises included in the 264 quarters filed before the Supreme Court of India. In accordance with the directions of the Supreme Court this notice was issued to the applicant to vacate the premises within 15 days of receipt of the notice.

2. Sh. R.V. Sinha, the learned counsel for the respondents submits that the impugned notice dated 23.9.95 has been issued in pursuance of the directions of the Supreme Court and the petitioner's


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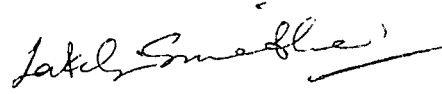
allegation that there has been a contempt in the matter is baseless. He also submits that the petitioner has, in pursuance of this notice, vacated the premises in question and handed over vacant possession to the respondents.

3. We have also seen the judgement in OA-1902/95 decided on 11.10.95 in which a direction was given to<sup>13/</sup> the respondents to act in accordance with law and the OA was dismissed at the admission stage itself.

4. None has been present on behalf of the petitioner on the past two occasions on 18.12.95 and 5.1.96. None is present today also.

5. After due consideration of the averments made in the C.P., the pleadings and after having heard the learned counsel for the respondents we find that there is no basis to initiate any contempt proceedings against the respondents in this case. The contempt proceedings are, therefore, dropped at this stage. The C.P. is dismissed.

  
(K. Muthukumar)  
Member (A)

  
(Smt. Lakshmi Swaminathan)  
Member (J)

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'Sanju'