

35

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

C.P. NO.36/2002
IN
O.A.NO.507/96

Monday, this the 22nd day of April, 2002

Hon'ble Mrs. Lakshmi Swaminathan, Vice Chairman (J)
Hon'ble Shri S.A.T. Rizvi, Member (Admn)

Smt. Bala Devi
W/O Sh. Satpal
R/O Jhugh No.1035, Durga Basti
Delhi

..Applicant
(By Advocate: Shri M.K.Bhardwaj)

Versus

Govt. of NCT of Delhi through

1. Shri P.S.Bhatnagar
Chief Secretary
Govt. of NCT of Delhi
5, Shamnath Marg
New Delhi
2. Smt. Sindhushree Khuller
Director of Transport NCT of Delhi
5/9, Under Hill Road Delhi-54
3. Shri G.S.Agarwal
Administrative officer
5/9, Under Hill Road Delhi-54

..Respondents
(By Advocate: Shri Ajesh Luthra)

O R D E R (ORAL)

Hon'ble Mrs. Lakshmi Swaminathan, VC (J):

We have heard Shri M.K. Bhardwaj, learned counsel for the petitioner and Shri Ajesh Luthra, learned counsel for the respondents. We have also perused the previous order of the Tribunal dated 26.3.1998 in OA-507/1996 and, in particular, the directions given in paragraph 3 of that order. From the perusal of the Contempt Petition as well as the reply filed by the respondents, we are unable to agree with the contentions of the learned counsel for the petitioner that a case of contumacious and wilful disobedience of the Tribunal's order has been made out by

R2

-36

(2)

the petitioner to warrant further action being taken against the respondents under the provisions of the Contempt of Courts Act, 1971 read with the provisions of Section 17 of the Administrative Tribunals Act, 1985.

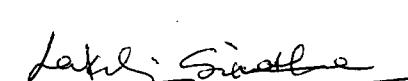
2. Shri Ajesh Luthra, learned counsel has submitted that the petitioner has neither mentioned the relevant dates when she has alleged that the other persons have been engaged in disregard of the aforesaid order of the Tribunal or the capacity in which they have been engaged. We find force in the submissions made by the learned counsel for the respondents that the allegations made by the petitioner, including in the draft charges are vague on the basis of which we do not consider any justification to continue with the CP filed in the present case. The CP also appears to be highly barred by limitation under Section 20 of the Contempt of Courts Act, 1971.

3. In view of the reasons given above, CP-36/2002 is dropped. Notices to the alleged contemners are discharged. Filed be consigned to the record room.

4. However, considering the indigent ~~but~~ circumstances of the applicant, this order should not come in the way of the respondents in re-engaging the applicant as Sweeper in accordance with the rules, if they so deem fit.


(S.A.T.Rizvi)
Member (A)

/sunil/


(Mrs. Lakshmi Swaminathan)
Vice Chairman (J)