

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

C.P. NO. 58/1998
in
O.A. NO. 1458/1996

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New Delhi this the 24th day of February, 1999.

HON'BLE SHRI JUSTICE K. M. AGARWAL, CHAIRMAN

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

1. Wilson Massy S/O Babulal Massy
2. Raj Kumar S/O Ganeshi Lal
R/O Ghaziabad Central Division,
C.P.W.D., Hindon Air Field,
Ghaziabad (UP). ... Applicants

(By Shri M. K. Gaur for Shri U. Srivastava, Advocate)

-Versus-

1. Shri B. S. Duggal,
Director General of Works,
C.P.W.D. Nirman Bhawan,
New Delhi.
2. Shri A. K. Sinha,
Superintending Engineer,
Delhi Central Circle No.5,
D.P.W.D., New Delhi.
3. Shri Anurag,
Executive Engineer,
C.P.W.D., Hindon (A.F.),
Ghaziabad Central Circle,
Ghaziabad (UP). ... Respondents

(By Shri D. S. Mahendru, Advocate)

O R D E R (ORAL)

Shri Justice K. M. Agarwal :-

This contempt petition was filed for non-compliance with the order dated 26.9.1997 in OA No. 1458/96. Compliance report was filed. After that the counsel for respondents were directed on 16.12.1998 to file an additional affidavit

incorporating certain facts mentioned in that ordersheet. The learned counsel for the respondents submitted that compliance with the directions has been made.

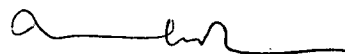
2. The learned proxy counsel for applicant made a prayer for adjournment on the ground that only yesterday the counsel for the applicant was supplied with a copy of the additional affidavit along with certain documents, and accordingly made a prayer for adjournment.

3. Contempt is essentially a matter between the Tribunal and the contemner. Under the circumstances, it does not appear necessary to adjourn the case so as to enable the applicant to file any reply or rejoinder to the additional affidavit filed on behalf of the respondents.

4. In view of the fact that the order is said to have been complied with and additional affidavit pursuant to the directions made on 16.12.1998 has been filed, we are of the view that this contempt petition deserves to be dismissed as having become infructuous. Accordingly, rule nisi, if any, shall stand discharged.



(K. M. Agarwal)
Chairman



(N. Sahu)
Member (A)

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