

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

C.P. NO. 221/1997

in
O.A. NO. 1309/1996

New Delhi this the 14th day of August, 1997.

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

HON'BLE SHRI S. P. BISWAS, MEMBER (A)

Sushil Kumar Singh,
Inspector No.D-1/609, Delhi Police,
C/O Manchanda & Co., Advocates,
Chamber No.111,
Patiala House Courts,
New Delhi-110001.

... Applicant

(By Shri Rajesh Manchanda, Advocate)

-Versus-

1. Ms. Anita Ray,
The then Deputy Commissioner of
Police, Hradquarter-III,
New Delhi, at present posted as
Additional Deputy Commissioner
of Police (North),
Civil Lines,
Delhi.

2. Shri Kailash Chander, Inspector,
(Quarter Allotment Cell),
Police Headquarters,
M.S.O. Building, I.P.Estate,
(Service through Police
Commissioner, Delhi)
New Delhi.

... Respondents

O R D E R (ORAL)

Shri Justice K. M. Agarwal -

Heard the learned counsel for the applicant on
the application for contempt.

By this application for contempt, the applicant
alleges that the respondents have disobeyed the
directions made in O.A. No. 1309/96 on 21.6.1996.

We find from the order filed along with the
application that the following direction was given :-

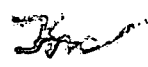
For

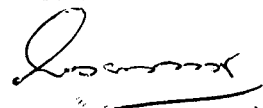
"It is seen that the interim order prayer for is virtually the same as the main relief in the O.A. In the circumstances, any allotment of Flat No. E-4, Type-III, Mandir Marg, New Delhi by the respondents to any person other than the applicant shall be subject to the outcome of the O.A., which shall be mentioned in the allotment letter."

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It will be seen that the direction was that any allotment made by the respondents to any person other than the applicant would be subject to the outcome of the O.A. The learned counsel admits that the O.A. is still pending. However, he submitted that in the order of allotment the words used by the Tribunal in their order dated 21.6.1996 in O.A. No. 1309/96 have not been used and the allottee has not been informed that his allotment was subject to the outcome of the present O.A. According to the learned counsel, this amounts to contempt.

We are of the view that no contempt has been committed by the respondents. If the O.A. is ultimately allowed and the respondents refuse to cancel the allotment order or to give some other allotment as may be directed, at that stage it may be decided whether any direction of the Tribunal has or has not been flouted. At this stage we are confident that no case for contempt is made out. Accordingly, the application for contempt is hereby summarily dismissed as misconceived.


(K. M. Agarwal)
Chairman


(S. P. Biswas)
Member (A)

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