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CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH

C.P.No. 330/97

IN

O.A. 2561/96

New Delhi: this the 11th February, 1998.

HON'BLE MR. S. R. ADIGE, VICE CHAIRMAN (A).

HON'BLE MRS. LAKSHMI SWAMINATHAN, MEMBER (J)

Smt. Lila Bhardwaj Applicant.

(By Advocate: Shri B. S. Jain)

Versus

Shri P. V. Jaikishnan,
Chief Secretary,
Govt. of NCT Delhi,
5, Sham Nath Road, Delhi

2. Shri C. Ramachandran,
Secretary,
Ministry of Finance,
Department of Expenditure,
New Delhi - 110001

..... Respondents.

(By Advocate: Shri Raj Singh)

ORDER

BY HON'BLE MR. S. R. ADIGE, VICE CHAIRMAN (A).

Applicant alleges contumacious violation by respondents of the Tribunal's judgment dated 26.12.96 in O.A. No. 2561/96 Smt. Lila Bhardwaj Vs. Secretary, Deptt. of Expenditure, Ministry of Finance & others.

2. By that judgment certain impugned orders were quashed and a direction was issued that if respondents were still of the opinion that the amount mentioned in the impugned order were to be recovered, they were to issue a show cause notice to applicant, hear her and consider her defence and

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thereafter taken an appropriate decision in the matter.

3. Shri Jain states that respondents issued a show cause notice in February, 1997 to which applicant replied on 3.3.97, upon which a 2nd notice issued on 1.7.97 (Shri Raj Singh contends that the 2nd notice had to be issued because the first one was issued by an authority not competent to do although this is denied by Shri Jain) to which applicant replied on 28.7.97. Eventually the arrears were released to applicant on 17.12.97, and that too on provisional basis subject to final clearance by Respondents.

4. Shri Jain has contended that even these arrears were paid only after the present C C P was filed.

5. While no time limit was prescribed in the impugned order dated 26.12.96 and it cannot therefore be said that respondents are prima facie guilty of contempt, we must also record with concern, the lack of urgency displayed by the respondents in disposing of this matter. There may be other cases of this nature also, which points to the need for a suitable mechanism to be evolved by respondents to handle such cases more expeditiously.

6. Subject to the above observation, this C P is rejected and notices to alleged contemnors are discharged.

Lakshmi Swaminathan
(MRS. LAKSHMI SWAMINATHAN)
MEMBER (J)

S. R. Adige
(S. R. ADIGE)
VICE CHAIRMAN (A)

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