

Central Administrative Tribunal, Principal Bench

CP No. 267/2002

OA No. 502/2000

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New Delhi, this the 17th day of September, 2002

Hon'ble Shri S. A. T. Rizvi, Member (A)
Hon'ble Shri Shanker Raju, Member (J)

M. N. Sivasubramanian
Economic Adviser
Department of Chemicals and Petrochemicals
343A, Shastri Bhawan,
New Delhi-110001.

(Applicant in person)

.... applicant.

Versus

1. Shri K. Kosal Ram
Secretary
Ministry of Urban Development
Nirman Bhawan
New Delhi-110001.
2. Ms. Achala Sinha
Director
Directorate of Estates
Ministry of Urban Development
Nirman Bhawan
New Delhi-110001.

(Shri R. N. Singh, Advocate)

.... Respondents.

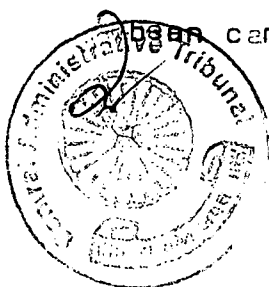
Order (Deal)

By Shri S. A. T. Rizvi, Member (A)

The alleged non compliance of the following directions issued by the Tribunal on 02.03.2001 in OA 502/2000 forms the basis of this Contempt Petition:-

- (i) The impugned cancellation orders issued by the respondents dated 22.10.1999 and 27.10.1999 cancelling the allotment of the quarter in question as well as imposition of penal rent and damages are quashed and set aside. The applicant shall be liable to pay normal rent and other charges for the relevant period as per the relevant rules.
- ii) With regard to the claim of the applicant for compensation, that relief is rejected. However, in the facts and circumstances of the case, we deem it fit to award costs of Rs. 2000/- (Rupees two thousand only) in favour of the applicant and against the respondents.

Learned counsel appearing on behalf of the respondents has placed before us a copy of a letter dated 12.7.2002 issued by the respondents which goes to show that in accordance with the directions of this Tribunal the letter dated 22.10.1999 has been cancelled/withdrawn. It has also placed before us a copy



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of another letter dated 15.7.2002 which would show that the cost imposed has also been paid. As regards the quashment of the respondents' order dated 27.10.1999, the learned counsel appearing on behalf of the respondents submits that since the aforesaid order also stands quashed by the order of the Tribunal there is no particular need on the part of the respondents to issue a formal cancellation letter. According to him as directed by the Tribunal the petitioner shall be liable to pay a normal rent and other charges for the relevant period in accordance with the relevant rules. However, since the petitioner apprehends action in accordance with the aforesaid order dt.27.10.1999 which has been quashed and set aside, the learned counsel for the respondents undertakes to have a letter issued by the respondents to the effect that the said order dated 27.10.1999 would stand cancelled/withdrawn. The order will be passed by the respondents on the lines on which a similar order has been passed on 12.7.2002 in respect of the respondents' order of 22.10.1999, within two weeks from the date of receipt of a copy of this order.

We have considered the submissions made by the petitioner in person and find that in view of the action already taken by the respondents and the action promised to be taken as above, the present CP will not survive. In any case, there is no whisper of contumacious or willful disobedience of the orders of this Tribunal. The present CP is accordingly dismissed. Notices issued are discharged.

S. Raju
(Shanker Raju)
Member (J)

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

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