

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

C.P. NO.429/2002 IN
O.A. NO. 197/2000

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Friday, this the 10th day of January, 2003

HON'BLE MRS. LAKSHMI SWAMINATHAN, VICE CHAIRMAN (J)
HON'BLE MR. V. SRIKANTAN, MEMBER (A)

1. All India CPWD (MRM) Karamchari Sangathan (Regd) through its President, Shri Satish Kumar, 4823, Balbir Nagar Extn., Gali No.13, Shahdra, Delhi - 110032
2. Balram Singh S/o Sh. Ram Gopal, Motor Lorry Driver, PWD Hort, Dvn. II, MSO Building New Delhi.
3. Chandbir S/o Sh. Chohal Singh, Motor Lorry Driver, PWD Hort, Dvn. II, MSO Building New Delhi.
4. Sunil Kumar Sharma s/o Sh. Brijbir Sharma, Motor lorry Driver, PWD Dvn No. 25, A-1, Battery Lane, Rajur Road, New Delhi
5. Rajiv Kumar S/o Sh Manghey Ram, Motor Lorry Driver, Hort (Development) Dvn. I CPWD, IP Bhawan, New Delhi
6. U Rahman S/o Sh. Irfanuddin, Motor Lorry Driver, (Now SP Marg Project, CPWD) New Delhi
7. Om Prakash S/o Sh Budhi Ram, Motor Lorry driver, Sena Bhawan, CPWD, New Delhi
8. Damber Bahadur S/o Sh Chander Bahadur, Motor Lorry Driver, Parliament Air Conditioning Dvn. CPWD New Delhi
9. Birender Kumar S/o Sh. Khan Chand Singh, Motor Lorry Driver,
10. Rajender Singh S/o Sh S S Rawat, Motor Lorry Driver, CD-VI (Now SP Marg Project) CPWD New Delhi
11. Gopal Dutt S/o Durga Dutt, Beldar, CD VI (now SP Marg Project) CPWD, New Delhi
12. Amar Rai S/o Sh. Mukhdev, Beldar, CD IX (Now SP Marg Project) CPWD New Delhi
13. Shikhar Chand S/o Sh. Kishanlal, Beldar, CD -IX (Now SP Marg Project) CPWD New Delhi
14. Ashok Kumar S/o Sh Ram Chandi, Beldar, CD -IX (Now SP Marg Project) CPWD New Delhi
15. Jang Bahadur S/o Sh Tika Ram, Khalasi BFR Project, Air Conditioning Division, CPWD, New Delhi

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17. Manohar S/o Sh Gaya Beldar, CD-VI, IP Bhawan New Delhi
18. Rajender Kumar S/o Sh Babulal, Beldar, Parliament Works Divn. III, New Delhi
19. Pappy Singh S/o Sh. Prabhu Dayal, Beldar CD VI IP Bhawan, New Delhi
20. Trivani S/o Sh. Shdevram, Beldar, Parliament Works Divn. III, New Delhi
21. Gopal S/o Sh. Man Bahadur, Motor Lorry Driver, Parliament Air Conditioning Divn, Vidyut Bhawan, New Delhi
22. M.A. Gopi S/o Sh. A Yyappan, Wireman, Smt. Sucheta Kriplani Hospital, Electrical divn. CPWD, New Delhi.

(Petitioners No. 2 to 22 are C/o All India CPWD (MRM), Karamchari Sangathan (Regd), 4823, Balbir Nagar Extn. Gali No. 13, Shahdara Delhi).

.....Petitioners.

(By Advocate : Ms. Shilpa Chauhan, leard proxy counsel for Shri Naresh Kaushik)

VERSUS

1. Sh M. Shankaran,
The Secretary, Union of India,
Ministry of Urban Affairs & Employment,
Nirman Bhawan, New Delhi
2. Shri J N Bhawani Prasad,
The Director General of Works,
CPWD, Nirman Bhawan, New Delhi.

.....Contemnors/Respondents.

(By Advocate : Shri K.R. Sachdeva)

O R D E R (Oral)

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

Heard the learned counsel for the parties in CP 429/2002.

2. This Contempt Petition has been filed by the Union and certain other persons/members of the Union alleging contumacious and wilful disobedience of the Tribunal's order dated 18.05.2001 in OA No.197/2000.


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The learned proxy counsel for the petitioners has submitted that when they came to know that the respondents have issued such an order regarding some other persons who, according to her, are similarly situated, then the petitioners have filed this Contempt Petition on 25.09.1992. She has, therefore, submitted that the CP is within one year of the latter order passed by the respondents in January 2002 and according to her, the provisions of Section 20 of the Contempt of Court Act, 1971 will not apply in the circumstances.

3. On the other hand, Shri K.R. Sachdeva, learned counsel for the respondents, has taken a preliminary objection that the Contempt Petition is barred by limitation and is not maintainable under the provisions of Section 20 of the Contempt of Court Act, 1971. Having regard to the facts and circumstances of the case, we agree with the contention of the learned counsel for the respondents that this Contempt Petition is not maintainable and is barred by limitation under the provisions of Section 20 of Contempt of Court Act, 1971.

4. For the reasons given above, CP No.429/2002 is dismissed. Notices to the alleged contemnors are discharged and file be confined to the record room.


(V. SRIKANTAN)
MEMBER (A)


(SMT. LAKSHMI SWAMINATHAN)
VICE CHAIRMAN (J)

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