

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

CP No. 82/2000 in  
OA No. 193/2000

New Delhi this the 25th day of May, 2000.

HON'BLE SHRI JUSTICE ASHOK AGARWAL, CHAIRMAN

HON'BLE SHRI V. K. MAJOTRA, MEMBER (A)

Brish Bhan Ram S/O Shri Sukhnandan Ram  
R/O O/46 Mangolpuri  
Delhi. ... Applicant

(By Shri U.Srivastava, Advocate)

-Versus-

1. Shri A.K.Singh,  
Commandant General  
Home Guards & Civil Defence  
CTI Building, Raja Garden,  
New Delhi.
2. Shri L.S.Sandhu  
Commandant,  
Delhi Home Guards, CTI Building  
Raja Garden, New Delhi. ... Respondents

(By Shri Rajinder Pandita, Advocate)

O R D E R (ORAL)

Shri Justice Ashok Agarwal :

Respondents in their affidavit in reply have inter alia averred as under:-

"3. That the para (4) of the Contempt Petition is admitted to the extent that the Hon'ble Tribunal was pleased to pass a status quo order on 31.1.2000 and the Respondents had issued the discharge order No.2120 on 25th February, 2000 in respect of petitioner inadvertently as the list of the discharge candidates/the persons who had completed three years was prepared and the order of the court (status quo order) was not placed in the file.

The respondents cancelled the discharge order No.2120 dated 25.2.2000 vide office order No.F.L.B./DSO(NR)/B.B.R./2000/23-26, dated 2.3.2000. (photocopy of the order is annexed as Annexure-R-I)

4. That the Respondents are tendering unconditional apology, which may be accepted as the Respondents have not

committed any wilful or deliberate disobedience of the Tribunal's order and have not committed any wilful deliberate delay in passing cancellation order in respect of office order No.2120 dated 25.2.2000 as we have the highest regard/respect for the judiciary.

(28)

That in view of the above submissions, I humbly submit and tender unconditional apology as the Respondents have not committed any wilful or deliberate disobedience of the Hon'ble Tribunal's order dated 31.1.2000. It is also submitted/prayed that the instant Contempt Petition may be dismissed and the notices issued may be withdrawn."

2. Since the order of 25.2.2000 has now been withdrawn by a later order passed on 2.3.2000 at Annexure-R-I and in view of the aforesaid averments contained in the affidavit of Shri L.S.Sandhu, Commandant, Home Guards, we do not find this a fit case to pursue the present Contempt Petition. The same is accordingly dismissed. Notice of contempt is discharged.

V.K. Majotra

(V.K. Majotra)

Member(A)

Ashok Agarwal

(Ashok Agarwal)

Chairman

sns