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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, DELHI.

Regn. No. CCP 73/89 in OA 833/88

Date of decision: 5.5.89

Shri K.L. Gulati

Applicant

Vs.

Union of India

Respondents

PRESENT

Applicant in person.

Mrs. Raj Kumari Chopra, counsel, appears for the respondents and takes notice.

Shri K.L. Gulati has moved the contempt petition against the Director of Estates, Estate Officer and Chief Engineer, Delhi Zone, arising out of disobedience of the order dated 15.12.88 passed by this Tribunal. When the case had come before the Tribunal it was said that the question of jurisdiction of this Tribunal for hearing cases under the PP Act had been referred to a Full Bench, but it was directed that till that point is decided, the respondents should stay the eviction proceedings against the applicant. The point raised by the applicant is that inspite of staying the eviction proceedings, the respondents have issued notice thrice after passing of the above orders to appear before them. This amounts to contempt. Technically, this may be correct, but ~~they~~ have to go behind the spirit of the orders passed. It was said that the question of jurisdiction of the Tribunal is involved and, therefore, no action was to be taken by the respondents. Respondents have now fixed the matter pending before them on 19.6.89 which shows that they have actually not taken any decision in this matter and are awaiting the outcome of the Full Bench's decision of this Tribunal. The decision is to be pronounced today. In the circumstances, there is no ^{wilful} ~~wilful~~ disobedience of the orders passed by this court. The contempt petition is therefore dismissed.

2. After orders in the above CCP were dictated, the came and applicant requested that he may be allowed to withdraw the CCP.

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and that the orders may be treated as the CCP dismissed ~~and/or~~ withdrawn.

Bennetkar
(B.C. Mathur)
Vice-Chairman