

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

C.P.NO.39/96  
in  
D.A.NO.2125/89

15

Hon'ble Mrs. Lakshmi Swaminathan, Member(J)  
Hon'ble Shri R.K.Ahooja, Member(A)

New Delhi this 12th day of August, 1996

1. A.Gajarajulu
2. A.Usha
3. Ms. N.Shyamala Devi
4. N.Shivakameshwari
5. Mrs. K.Seetha
6. R.Meera Bai
7. S.Ranibai
8. S.Rajakumari
9. R.Padmapriya
10. Mrs. Kalavathi
11. Mrs. K. Geetha
12. V.Kalaismudha
13. Sasikala
14. K.Revathi
15. R.C.Revathi
16. C.Chandra
17. T.Kangaraj
18. Rajan S.
19. Murlikrishnan
20. David Prasantha Rao
21. S.Mohan
22. P.N.Vanaja
23. K.Poongodi
24. Komalavalai
25. S.P.Usha Rani
26. G.Kanagaraj
27. S.Mallika Bai
28. J.Nelson Johnson Archur
29. P.Jayaraman
30. P.Sridhar
31. Prichilla
32. P.Parvathi
33. Rukmani
34. Madhusudanan
35. R.Meera
36. C.V.Kamalakumari
37. S.Surendran
38. N.Susi Kumar
39. A.Parvathy
40. G.Revathy
41. V.Srikrishna Ganesh
42. Reeta Marry
43. A.Rajini Kumari
44. B.Sujatha

... Petitioners

(By Mrs. Moolchandani, Advocate)

Vs.

Union of India through

1. Secretary  
(Shri Masihu Zaman)

Contd.....2/-

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Ministry of Railways  
Rail Bhavan  
Rafi Marg  
NEW DELHI.

### ΟΡΔΕΡ(Οραλ)

Hon'ble Mrs. Lakshmi Swaminathan, Member(J)

Heard.

2. Shri R.L.Dhawan, learned counsel on behalf of the respondents has raised the preliminary objection to this Contempt Petition on the ground of delay. He refers to the Judgment of the Karnataka High Court in Venkata Ramanappa Vs. D.K.Naikar & Another (1978 Cr. L.J. 726(Karnataka)). In this case, the High Court has held that Section 20 of the Contempt of Courts Act, 1971 operates as an absolute bar to initiation of contempt proceedings after expiry of the period of one year limitation. Learned counsel for the respondents, therefore, submits that this Contempt Petition, which has been filed on 15.12.1995 against the non-implementation of an order dated 10.1.1991 is barred by limitation under Section 20 of the Contempt of Courts Act, 1971.

3. The learned counsel for the applicant, submits that this is a continuous cause of action and therefore, this case

Contd..... 3/-

is not barred by limitation. She also submits that as a matter of fact, there is an earlier Judgment of this Tribunal in OA No. 810/87 dated November 10, 1987 which is also not implemented. In the circumstances, she prays that the contempt proceedings may be continued.

4. We have considered the matter carefully. Section 20 of the Contempt of Courts Act, 1971 provides that no Court shall initiate any proceedings for contempt, either on its own motion or otherwise, after the expiry of a period of one year from the date on which the contempt is alleged to have been committed. Having regard to the provisions of Section 20 of the Contempt of Courts Act, therefore, we are of the view that this Contempt Petition is absolutely barred by limitation. The period of limitation of one year starts from the date on which the contempt is alleged to have been committed. In this case more than eight years have lapsed from the date of the decision in OA No. 810/87 dated 10.11.1987 and four years since <sup>the</sup> decision dated 10.1.1991 in OA No. 2125/89 against which the contempt proceedings have now been initiated.

5. Therefore, having regard to the above facts and circumstances and the provisions of Section 20 of the Contempt of Courts Act, 1971 this Contempt Petition is barred by limitation and accordingly is dismissed. No costs.

*R.K. Ahuja*  
(R.K. AHUJA)  
MEMBER(A)

/RAO/

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