

(18)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

RA No. 69/95 IN C.P. No. 225/94 in OA No. 101/89
& MA No. 583/95.

NEW DELHI THIS THE 20th, DAY OF MARCH, 1995.

MR. JUSTICE S.C. MATHUR, VICE-CHAIRMAN
MR. P.T. THIRUVENGADAM, MEMBER (A)

Shri Bashir Ahmad
S/o Shri A.H. Khan
R/o 309-B, Pocket J&K
Dilshad Garden
Delhi-110095. Applicant

vs.

Mr. V.S. Giri
Secretary
M/o H.R.D
Govt. of India
Shastri Bhawan
New Delhi. Respondent

ORDER (IN CIRCULATION)

JUSTICE S.C. MATHUR:

We have gone through the review application filed by Shri Bashir Ahmad and we do not find any merit in the same.

2. The contempt petition of the applicant was rejected on the ground of limitation. Limitation for filing a contempt petition is prescribed in Section 20 of the Contempt of Courts Act and that is one year from the date of commission of the contempt. The applicant had filed the contempt petition on 9.6.1994. The judgement of the Tribunal of which 'disobedience was alleged' was rendered on 24.12.1991. The applicant's case was that the respondents had committed fraud and this fraud came to his knowledge on the date he preferred a representation, copy of which, had been filed with the contempt petition as Annexure 'P-5' (page 11). This document bore the date 30.1.1993. We computed the limitation from 30.1.1994 and held that even after the limitation was counted from the date mentioned in the

representation, the contempt petition was filed beyond the period of one year and was, therefore, barred by time. Now the applicant alleges that the date of representation was wrongly mentioned in Annexure 'P-5' and the correct date is 30.1.1994. This plea was never raised at the time of arguments. There is no occasion for the applicant to change his stand at this stage. The applicant's plea is that he was upset by the anger shown by the Bench during the course of hearing. There was no occasion to express any anger. We may have expressed our disagreement with the submissions which the applicant was making. The applicant does not claim to have stated during the course of arguments that the date mentioned in Annexure 'P-5' was incorrect. He has tried to introduce entirely new fact which cannot be permitted.

3. In view of the above, the review application is dismissed summarily.

P.T.Thiru

(P.T.THIRUVENGADAM)
MEMBER(A)

SNS

S.C.Mathur

(S.C.MATHUR)
CHAIRMAN