

Central Administrative Tribunal
Principal Bench: New Delhi

CP No.132/96

in

OA No.2667/91

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New Delhi this the 28th day of May 1996.

Hon'ble Mr A.V.Haridasan, Vice Chairman (J)
Hon'ble Mr R.K.Ahooja, Member (A)

Telecom Engg. Services
Association and Others

...Applicants

(By Advocate: Shri Wills Mathews)

Versus

Sh. M.P.Modi
Secretary
M/o Communications.

...Respondent.


ORDER (oral)

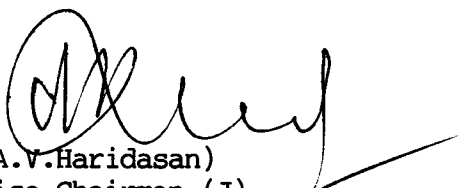
Hon'ble Mr A.V.Haridasan, Vice Chairman (J)

This Contempt Petition arises out of the order passed by a Bench on 22.4.92. Certain directions were given in the order. Against this, the respondent in the OA filed an SLP before the Hon'ble Supreme Court which was disposed of alongwith other connected matters by order dated 13th May 1994. Pursuant to the said directions, the respondent issued certain orders on 5.7.94, 15.7.94, 10.8.94 and 10.11.94. Alleging that while fixing the pay of the petitioner notionally, it was observed in the order that the pay would be treated as personal pay to the petitioner, ^{and thus} the direction contained in the order has not been complied with by the respondent and, therefore, it is necessary to proceed against the respondent under the Contempt of Court Act, the petitioner has filed this CP on 8th April 1996. The alleged contempt had been committed by the respondent as stated in the petition, in July, August and November 1994. The latest action which constituted the contempt, according to the petitioner, was committed in November 1994. Therefore, in accordance with the provision contained under Section 20 of the Contempt of Court Act

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this Tribunal has no jurisdiction now to initiate any action against the respondent under the Contempt of Court Act as the alleged contempt was beyond the period of 1 year from the date of filing the CP. The CP is, therefore, dismissed. It is made clear that if the petitioner has any grievance in regard to the way in which the direction contained in the order was passed, it may yet be open for the petitioner to seek appropriate relief in accordance with law.


(R.K. Ahooja)
Member (A)


(A.V. Haridasan)
Vice Chairman (J)

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