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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

C.P. NO. 363/94
IN
O.A. NO. 2662/92

New Delhi this the 4th day of January, 1995

THE HON'BLE SHRI JUSTICE S. K. DHAON, VICE CHAIRMAN
THE HON'BLE SHRI B. N. DHOUNDIYAL, MEMBER (A)

Shri Shoran Singh,
House No. 401, Gali No.7,
Durga Puri, Shahdara,
Delhi - 110032.

... Applicant

(By Advocate Shri Vinay Sabharwal)

Versus

1. Shri Musa Raza,
Secretary, Ministry of
Steel & Mining, Udyog Bhawan,
New Delhi - 110001.
2. Shri S. Gopalan,
Secretary, Ministry of
Labour, Shram Shakti Bhawan,
Rafi Marg, New Delhi.
3. Shri S. L. Nischal,
Pay & Accounts Officer,
Principal Accounts Office,
Ministry of Steel & Mining,
Udyog Bhawan,
New Delhi - 110001.

... Respondents

O R D E R (ORAL)

Shri Justice S. K. Dhaon —

The complaint is that the interim order passed
in O.A. No. 2662/92 has been observed in breach.
The O.A. is still pending in this Tribunal.

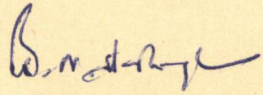
2. The interim order, in substance, was that the
respondents shall consider engaging the applicant
as casual labourer, if vacancy existed, and in
preference to persons with lesser length of service
and outsiders. In paragraph 3 of the contempt
application, it is alleged that one Pradeep Kumar


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son of Tulsi Ram was appointed by the respondents w.e.f. 1.12.1993 and he is continuing to work as a casual labourer. Having heard the learned counsel, we are satisfied that this application is barred by limitation. Section 20 of the Contempt of Courts Act, 1971, inter alia, provides, "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 contempt is alleged to have been committed." The learned counsel argued that since Pradeep Kumar continues to be in the employment as a consequence to his engagement on 1.12.1993, the theory of recurring cause of action is attracted. This is not correct. In a civil contempt, wilful disobedience of the order passed by a court/tribunal is the gist of the matter. Obviously, the disobedience, if any, took place on 1.12.1993 when Pradeep Kumar was given an engagement without considering the applicant, as alleged. In quasi criminal proceedings, like contempt proceedings, the theory of recurring cause of action does not attract.

3. The application is dismissed.


(B. N. Dhoundiyal)
Member (A)


(S. K. Dhaon)
Vice Chairman

/as/