

Open Court.

Central Administrative Tribunal,
Allahabad Bench, Allahabad.

Dated: Allahabad, This The 17th Day of October, 2000.

Coram: Hon'ble Mr. Justice R.R.K. Trivedi, V.C.
Hon'ble Mr. S. Dayal, A.M.

Civil Contempt Application No. 80 of 1998

in

Original Application No. 225 of 1992.

Satpal Singh Sethi
son of Sri G.S. Sethi,
aged about 38 years
36/43, Prem Ganj,
Sipri Bazar,
Jhansi.U.P.)

. . . Applicant.

Counsel for the Applicant: Sri A.K. Dave, Adv. and
Sri A.D. Prakash, Adv.

Versus

1. Smt. R.P. Talreja, Sr. Personnel Officer (S & T),
Central Railway, Head Quarters Office, C.S.T.
Mumbai.
2. Sri K.V. Shankaram, General Manager, Central
Railway, Head Quarters, Office C.S.T. Mumbai.
3. Sri T.N. Parti, Chief Personnel Officer, Central
Railway Head Quarters, Office, C.S.T. Mumbai.

. . . Respondents.

Counsel for the Respondents: Sri G.P. Agarwal, Adv.

Order (Open Court)

(By Hon'ble Mr. Justice R.R.K. Trivedi, V.C.)

We have heard Sri A.K. Dave, counsel for the
applicant and Sri G.P. Agarwal, counsel for the
respondents.



2. This contempt application has been filed alleging non compliance of the order dated 13.1.93 passed in O.A. No. 225 of 1992. The application was disposed of by following order:

"In these circumstances, we consider it expedient to direct the respondents to verify the papers relating to the applicant and issue necessary appointment orders if the claim of the applicant is found to be correct, as per their record. The above exercise may be completed within a period of three months from the date of receipt of a copy of this order. The application is disposed of as above with no order as to costs."

From the aforesaid order it is clear that compliance of the order should have been done by the respondents by 13.4.93. However, Opposite parties filed a review application (Registered as Review Petition No.1882 of 1993) which was dismissed by order dated 15.4.97. The respondents thereafter passed order rejecting the claim of the applicant on 20.10.97. This contempt application has been filed saying that as the order has not been complied-with, within time respondents have committed contempt of this Tribunal. However, we are of the opinion that the contempt application is grossly time barred. In pursuance of the order dated 13.1.93 the Opposite parties were required to pass order by 13.4.93. As the compliance was not done, the period of one year prescribed for initiating contempt proceedings under section 20 of the Contempt of Courts Act 1971 started running from



13.4.93 and expired in April 1994. This contempt application has been filed on 13.10.1998 i.e. after more than four years. As the application has been filed after the period of limitation provided under law, it is rejected as time barred.

Notices issued to the Opposite parties are discharged. No order as to costs.



Member (A.)



Vice Chairman

Nafees.

Dairy No. 3969/98
S. O. (1) to keep it with file
and put up before Hon'ble
Court for orders on 29.10.98

In

The Central Administrative Tribunal Allahabad Bench
at Allahabad.

Civil Contempt Petition under section 17 of the
Administrative Tribunal Act 1985.

No. 80/98 of 1998.

In

O.A.No. 225 of 1992.

Satpal Singh Sethi Applicant.

Versus.

1. Smt R P Talreja, Sr. Personnel Officer (S&T), Central Railway Hdq's office, CST, Mumbai.
2. Shri K V Shankaran, General Manager, Central Railway, Hdq's office, CST Mumbai.
3. Shri T N Parti
Chief Personnel Officer, Central Railway, Hdq's office, CST, Mumbai.

To,

The Hon'ble Vice Chairman and his companion member of
the aforesaid tribunal.

The humble applicant most respectfully submits as under:-

1. That the full facts and circumstances leading to the instant contempt petition have been stated in the accompanying affidavit which may be treated part of the contempt petition.
2. That therefore it is expedient in the interest of justice that this Hon'ble be pleased to take up the respondents/contemners as deemed fit for non compliance of Hon'ble Tribunal order dated 13.1.1993 in its letter and spirit.

Prayer

Therefore it is humbly prayed that this Hon'ble
Tribunal be pleased to take up the respondents/contemners
as deemed fit for non compliance of Hon'ble Tribunal order
dated 13.1.1993 in its letter and spirit.

Satpal Singh Sethi

Satpal Singh Sethi

Signature of Applicant

Above Date