

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH ALLAHABAD.

CIVIL MISC. CONTEMPT APPLICATION NO.101 of 2001.

In

ORIGINAL APPLICATION NO.59 of 1993.

Allahabad this the 21st day of July 2003.

Hon'ble Mr. Justice R.R.K Trivedi, V.C.  
Hon'ble Mr.D.R. Tewari, A.M.

Mohd. Washi Siddiqui  
S/o Late Mohd. Riyaz Siddiqui  
Presently posted as Commercial H.S.  
Grade-II, Token No.123/Q.C. Ordnance  
Equipment Factory Kanpur.

.....Applicant.

(By Advocate : Sri Arun Tandan)

Versus.

1. Sri Sushil Gupta  
General Manager  
Ordnance Equipment Factory  
Kanpur.
2. Shri T.P. Gopal Krishan  
General Manager  
Ordnance Equipment Factory,  
Kanpur.

.....Respondents.

(By Advocate : Sri A Mohiley)

O\_R\_D\_E\_R

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

It has been submitted by the respondent's counsel that this contempt application has been filed after expiry of period of limitation of one year and is not maintainable. This preliminary objection raised on behalf of respondents was postponed on 3.7.2003 for being considered at the time of arguments. Today the question has been raised again. It appears that O.A. No.59/93 was allowed on 18.05.1999, impugned orders were quashed and respondents were directed to treat the period of suspension of the applicant from 20.04.1991 to 15.01.1992 as on duty and to grant all consequential benefits. The Tribunal while passing the aforesaid order




did not say about any period for implementing the orders, so after availing reasonable time, respondents ought to have implemented <sup>the</sup> order within 6 months. The applicant moved an application before General Manager, Ordnance Equipment Factory, Kanpur on 10.12.1999 (Annexure 5) and prayed to implement the order on priority basis and to give benefit accruing thereunder. If the limitation is counted from 10.12.1999, when the applicant, after expiry of the reasonable time, prayed for implementing the order, the period of one year expired on 10.12.2000. This application has been filed on 15.05.2001. Thus, application has been filed after expiry of period of one year and is liable to be rejected as time barred. Further the matter is still pending before the Hon'ble High Court in writ petition No.40052 of 1999 and in case the order is maintained by the Hon'ble High Court in the aforesaid writ petition, the applicant will have fresh opportunity for compelling the respondents to comply with the order.

2. In the circumstances, the contempt application is rejected as time barred.

No order as to costs.

  
Member-A.

  
Vice-Chairman.

Manish/-