

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH ALLAHABAD.

CIVIL MISC. CONTEMPT APPLICATION NO.260 of 2001.

IN

ORIGINAL APPLICATION NO.878 of 1998.

Allahabad this the 08th day of September 2003.

Hon'ble Maj Gen KK Srivastava, Member-A.

Hon'ble Mr.A.K. Bhatnagar, Member-J.

Sudarshan Kumar
Son of Sri Jai Bhagwan Sharma,
Resident of Village and Post Salempur,
Post Office Muzzafernagar, District Muzzafernagar.

.....Applicant.

(By Advocate : Sri A.V. Srivastava)

Versus.

1. Sri A.K. Garg,
General Manager,
Bharat Sanchar Nigam Ltd.
Telecom, Noida.
2. Sri Manjeet Singh
General Manager,
Bharat Sanchar Nigam Ltd,
Telecom, Patel Nagar,
Dehradun.

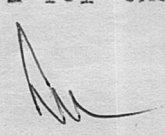
.....Respondents.

(By Advocates: Sri R.C. Joshi/Sri S.C. Mishra)

O R D E R

(By Hon'ble Maj Gen KK Srivastava, Member-A)

This contempt application under section 17 of Administrative Tribunals Act 1985 against the officers of Bharat Sanchar Nigam Ltd (in short B.S.N.L), a newly formed Corporation for wilful disobedience of the order of this Tribunal dated 11.05.01 passed in O.A. No.878 of 1998.

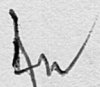
2. Learned counsel for the applicant submitted that
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respondents filed writ petition No.284(S/B) of 2002 before the Hon'ble High Court of Uttaranchal. Hon'ble High Court of Uttaranchal has passed the order that this Tribunal shall not proceed in the contempt proceedings.

3. We would like to make it clear that in absence of any notification under section 14(2) of A.T. Act 1985, this Tribunal has no jurisdiction over B.S.N.L and therefore, contempt application is not maintainable.

4. The legal position in this regard has been well settled by Division Bench Judgment of Hon'ble Delhi High Court in case of Ram Gopal Verma Vs. Union of India and others, A.I.S.L.J. 2002 (1) 352 and also of Hon'ble Bombay High Court in case of Bharat Sanchar Nigam Ltd Vs. A.R. Patil and others 2002 (3) ATJ-1.

5. In view of the above, the contempt application is dismissed as not maintainable. Notices are discharged. However, liberty is given to the applicant to approach appropriate forum.


Member-J.


Member-A.

Manish/-