

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR**

MISC. APPLICATION NO. 87/2021
IN
CONTEMPT PETITION NO. 04/2021
IN
(ORIGINAL APPLICATION NO. 65/2015)

Order reserved on 28.09.2021

DATE OF ORDER: 06.10.2021

CORAM

HON'BLE MR. DINESH SHARMA, ADMINISTRATIVE MEMBER
HON'BLE MRS. HINA P. SHAH, JUDICIAL MEMBER

Rakesh Sharma S/o Shri Arjun Lal Sharma, aged about 34 years, R/o 40, Shanti Vihar Colony, Behind Morani Motors, Tonk Road, Jaipur, Rajasthan – 302005. Group 'C'.

....Applicant

Shri Akshat Dewan, proxy counsel for
Shri Punit Singhvi, counsel for applicant.

VERSUS

1. Shri Ajay Bhushan Pandey, Secretary, Ministry of Finance Government of India, Rajpath Marg, E-Block, Central Secretariat, New Delhi – 110001.
2. Shri Pramod Chandra Mody, Chairman, Central Board of Direct Taxes, Central Secretariat, North Block, New Delhi-110002.
3. Smt. Shishir Jha, Principal Chief Commissioner of Income Tax, Central Revenue Building Statue Circle, Bhagwandas Road, Jaipur-302005.

.... Respondents

ORDER

Per: Hina P. Shah, Judicial Member

The present Misc. Application No. 87/2021 has been filed by the applicant for condonation of delay in filing the Contempt Petition No. 04/2021.

2. The applicant stated that there is a delay of 74 days in filing the Contempt Petition and which has occurred for the reason that due to unforeseen and ongoing circumstances being faced due to COVID-19 Pandemic, the delay in filing the present Contempt Petition is unintentional and for bonafide reason, therefore, the said delay be condoned.

3. As seen, the Hon'ble Supreme Court in Misc. Application No. 665 of 2021 in [SMW (C) No. 3 of 2020] has taken cognizance for extension of limitation vide order dated 23rd September, 2021 wherein the Hon'ble Supreme Court has observed that due to the outbreak of COVID-19 pandemic in March, 2020, this Court took Suo Motu cognizance of the difficulties that might be faced by the litigants in filing petitions/ applications/ suits/ appeals/ all other proceedings within the period of limitation prescribed under the

general law of limitation or any special laws (both Central and/or State). The Hon'ble Supreme Court has directed that in computing the period of limitation for any suit, appeal, application or proceeding, the period from 15.03.2020 till 02.10.2021 shall stand excluded. Consequently, the balance period of limitation remaining as on 15.03.2021, if any, shall become available w.e.f. 03.10.2021. In cases where the limitation would have expired during the period between 15.03.2020 till 02.10.2021, notwithstanding the actual balance period of limitation remaining, all persons shall have a limitation period of 90 days from 03.10.2021.

4. Thus, in view of the above position, the delay in filing the present Contempt Petition is condoned. Accordingly the Misc. Application No. 87/2021 is allowed.

List the matter on 11.10.2021.

(HINA P. SHAH)
JUDICIAL MEMBER

(DINESH SHARMA)
ADMINISTRATIVE MEMBER

/nlk/