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CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH

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Civil Misc (Contempt) 15/87 in July 28, 1989
Registration O.A. No. 798 of 1986

O.P. Sharma & ors ... Applicants
Vs.

General Manager, N.R. New Delhi
and others Respondents

Hon' Mr. K.J. Raman, A.M.

Hon' Mr. D.K. Agrawal, J.M.

(By Hon' Mr. D.K. Agrawal, J.M.)

This is an application under section 17 of the Administrative Tribunals Act, 1985 for the suitable orders against the respondents for non compliance of the order of the Tribunal dated 14-1-1987 passed in application No. 798 of 1986.

2. The facts of the case are that the Application No. 798 of 1986 O.P. Sharma and others Vs. Union of India and others, was disposed off by a Division Bench of this Tribunal on 14-1-1987 holding that (a) the relief (a) was barred by time and therefore, petition rejected; (b) directing the respondents to decide the representations of the petitioner dated 10-9-83 and 20-4-86 within two months. The contention of the applicant is that the representations dated 10-9-83 and 20-4-86 have not been disposed off. The respondents have submitted in their reply that no representation dated 10-9-83 was available in the Office and that his representation dated 20-4-86 was disposed off on 27-5-1986 itself.

3. We have heard the learned counsel for the parties and perused the record. The applicants have

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not filed the copies of the representations dated 10-9-83 and 20-4-86. Therefore, we cannot ascertain that the contents of the two representations were the same or different, if so, on what count? We presume that the subject matter of the two representations was the same. Presumably, both the representations were directed against the seniority list dated 20-5-83. If so, the disposal of the representation dated 20-4-86 meets the end of justice. As regards the contention of the applicant that they have not received the order of the competent authority dated 27-5-86 disposing of the representation dated 20-4-86, it does not matter because the contents of the same have become known to the applicant in the proceedings of the present contempt application. In the circumstances, we are of the opinion that no wilful disobedience has been made by the respondents as to attract the provisions of contempt of Courts Act, 1971. Consequently, the application is liable to be dismissed with no order as to costs. The application is accordingly dismissed.

Dr. Aggarwal
MEMBER (J)

K. Ramani
MEMBER (A)

(sns)

July 28, 1989

Allahabad.