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09.1.95Hon.Mr. T.L. Verma, J.M.
Hon.Mr. S. Dayal, A.M.

Heard, Sri Sharad Verma counsel for
the petitioner.

The misc.appl.no.3078/94 has been filed
for recalling order dated 19.12.1994 whereby C.C.A.
no. 2512/93 has been dismissed.

The C.C.A. 2512/93 was filed for initiating proceeding for contempt of Court against the respondents. According to the petitioner, the respondents have committed breach of the direction issued by this Tribunal by order dated 25.11.93 in O.A. 1765/93. The copy of the said order is stated to have been served on the respondents in December, 1993. No notice was issued to the respondent to show-cause why contempt proceedings may not be initiated against him, ^{file} prior to the date of dismissal of the application on 19.12.1994.

According to the Section 20 of the Contempt of Courts Act, proceedings for Contempt of Court shall be initiated before the expiry of the period of one year from the date on which the contempt is alleged to have been committed. In the instant case the contempt even according to the case of the petitioner, is alleged to have been committed some time in December, 1993. Admittedly no process for initiating contempt of court has been initiated within the period of one year from the date on which the contempt is alleged to have been committed. That being so, no such proceedings now can be permitted as the same is barred by limitation under Section 20 of Contempt of Court, Act, 1971. In ^{view} view of the matter, no useful purpose will be solved by restoring this C.C.A., hence, dismissed,


A.M.
J.M.

/m.m./