

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH,

ALLAHABAD.

...

Contempt Petition No. 128 of 2000

In

Original Application No. 702 of 2000

this the 23rd day of July 2001.

HON'BLE MR. S. DAYAL, MEMBER (A)
HON'BLE MR. RAFIQ UDDIN, MEMBER (J)

Vijay Shanker Chatterjee, S/o late Sri S.M. Chatterjee,
R/o 88 LIG, Indira Nagar, Kalyanpur, Kanpur, presently
working as Producer, All India Radio, Commercial Broadcasting
Service, Prasar Bharti, Broadcasting Corporation of India,
Kanpur Nagar.

Applicant.

By Advocate : Sri N.P. Singh.

Versus.

Dr. A. Rahman, Asstt. Station Director (Incharge), All India
Radio, Commercial Broadcasting Service, Broadcasting Corpora-
tion of India, Kanpur Nagar.

Respondent.

By Advocate : Sri P. Srivastava for Sri S. Chaturvedi.

ORDER (ORAL)

S. DAYAL, MEMBER (A)

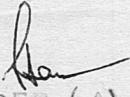
This contempt petition has been filed for wilful
disobedience of the order passed on 5.7.2000 by which the
respondents were directed to decide the applicant's
representation within 10 days and the applicant was allowed
three days time to move the same. Till then the operation
of the transfer order was remain stayed.

2. The respondent has filed his Counter reply. We find
from Annexure G-4 that the representation of the applicant
has been decided. We also find that Annexure G-5 that copy

of the order was sought to be served but he somehow refused to receive it. The applicant had filed a Civil Misc. Writ Petition No. 55175 of 2000 which was disposed of by order dated 21.12.2000 with the direction that incase the representation of the applicant has not already been decided, the same could be disposed of by the competent authority by passing a reasoned order and till then the effect and operation of the transfer order dated 24.5.2000 and consequential order dated 20.10.2000 were to be kept in abeyance. It was also mentioned in that order that if the representation had already been disposed of, a copy thereof would be served to the applicant, who shall abide by the result of the decision on the representation.

3. The learned counsel for the applicant invites attention to the Supplementary affidavit filed by the applicant, towards the Annexure SA-1, the order dated 20.10.2000 is attached, in which the applicant is stated to have been relieved for joining to All India Radio, Jodhpur. The learned counsel for the applicant states that by passing the order dated 20.10.2000 the respondents have committed contempt of the court by wilfully disobeying the order dated 5.7.2000. We find from the Counter reply that the representation of the applicant has been decided on 17/18.8.2000 and it was sought to be given on 22.8.2000, but the applicant refused to receive it and the order was sent by post at his residential address, but the same was returned as the applicant was not available. Thus, we find that the representation of the applicant had already been decided and there is no contempt. The contempt petition is, therefore, dropped and notice issued to the respondent is hereby discharged.

12 Aug 2004
MEMBER (J)


MEMBER (A)

GIRISH -