

6.1.2003

HON.MR.JUSTICE R.R.K.TRIVEDI,V.C.

HON.MAJ.GEN.K.K.SRIVASTAVA, MEMBER(A)

We have heard Shri S.K.Mishra counsel for the applicant.

This application u/s 17 of A.T.Act 1985 has been filed for punishing respondents for wilful disobedience of the order of this Tribunal dated 24.7.00 passed in OA No.1275/92. The direction given was as under:-

"Under the circumstances, we direct that respondents to include the name of the applicants in live casual labour register for casual labour and they shall be considered for inclusion since May, 1991. If any casual labour included in the live register or were appointed after 1991 and had less number of days of service then the applicants shall also be considered for absorption. This direction shall be complied within three months time and a detailed reply shall be furnished to the applicants."

The copy of the order as stated by the applicant was received by the respondents on 24.08.00. If three months period is added, the limitation of one year started from 24.11.00 and ended on 24.11.01. However, this application has been filed on 2.9.02 i.e. long after the period of limitation expired. The counsel for the applicant submitted that respondents have filed review application which was rejected on 18.7.01. Even if the limitation is computed from 18.7.01, then also the application is time barred. In the circumstances, no action for committing contempt of this Tribunal can be taken. The application is rejected.

MEMBER(A)

VICE CHAIRMAN

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