

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH,  
ALLAHABAD.

....

Contempt petition No. 233 of 2002.

this the 21st day of October 2003.

HON'BLE MR. JUSTICE R.R.K. TRIVEDI, VICE-CHAIRMAN,  
HON'BLE MR. D.R. TIWARI, MEMBER (A)

Smt. Bhavna Gupta, W/o late Rajeev Kumar, C/o Shri Sukhalal  
Gupta, R/o Infornt of Ashoka Biscuit Factory, Baradari,  
Moradabad.

Applicant.

By Advocate : Sri A.K. Goel.

Versus.

1. S.P. Srivastava, Chief Commissioner, Central Excise,  
117/7, Sarvoday Nagar, Kanpur.

Respondent.

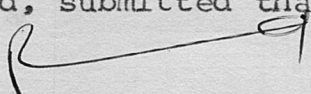
By Advocate : Sri G.R. Gupta.

ORDER

BY JUSTICE R.R.K. TRIVEDI, V.C.

By this application under Section 17 of the A.T. Act, 1985, the applicant has prayed to punish the respondent for committing contempt of this Tribunal, <sup>by</sup> wilful disobedience of the order dated 31.5.2002 passed in O.A. no. 645 of 2002. The direction was to consider and decide the representation of the applicant for appointment on compassionate grounds by speaking order within two months. It is not disputed that the representation of the applicant has been decided by order dated 26.11.2002, a copy of which has been filed alongwith Counter affidavit. The learned counsel for the applicant has submitted that there is delay in deciding the representation of the applicant.

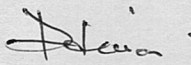
2. Sri G.R. Gupta, learned counsel for the respondents has, on the other hand, submitted that the necessary party






in the O.A. was served the <sup>notice</sup> ~~copy~~ of the <sup>proceedings</sup> ~~order of this~~  
~~Tribunal~~ after expiry of the considerable period of time,  
hence there was delay in deciding the representation  
of the applicant.

3. Considering the facts and circumstances of the  
case, in our opinion, as the representation of the  
applicant has been decided, substantial justice has  
been done. It would not <sup>be</sup> proper to hold the respondents'  
guilty for contempt <sup>of</sup> ~~on~~ the ground of delay.  
The application is accordingly dismissed. Notice is  
discharged. No costs.

  
MEMBER (A)

  
VICE CHAIRMAN

GIRISH/-