

Narottam Lal & Ors

Vs. Smt. Teenu Joshi & Ors

29.4.2002

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

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

We have heard Shri N.L.Srivastava counsel for the applicant.

This contempt application u/s 17 of A.T.Act 1985 has been filed for punishing respondents for non compliance of the order dated 1.12.2000 passed in OA No.558/92. The direction given was to pay overtime allowance as per rules from ~~23.3.87~~ 23.3.87 to 31.12.1990. It was also directed to comply with the order within six months from the date of supply of the copy of the order. The applicant's submission is that the copy was sent to respondent 1 and 2 by regd post on 31.1.01. As no action was taken, a fax message was sent to respondent no.1 on 23.6.01 even then no action was taken. The respondents filed writ petition no.23980/01 in which ~~they~~ initially interim order was passed on 5.7.01. However, after exchange of affidavits and after hearing parties Hon'ble High court dismissed the ~~writ~~ above writ petition on 31.1.02. As the writ petition was dismissed on the above date, in our opinion respondents will have to comply with the order within a period of six months from the above date and the application for punishing respondents at this stage is prematured and is accordingly rejected. However, the applicant may obtain a copy of the order and file it before respondents 1 and 2 for expeditious compliance of the order.

No costs.


MEMBER(A)
VICE CHAIRMAN

Uv/