

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD.

Dated : This the 03rd day of September 2003.

Contempt Application no. 147 of 2003

in

Original Application no. 1506 of 2001.

Hon'ble Maj Gen K K Srivastava, Member (A)  
Hon'ble Mr A K Bhatnagar, Member (J)

Mumtaz Ahmad, S/o Sri Anwarul Haque,  
R/o 187, Himmatganj, Allahabad.

... Applicant

By Adv : Sri A Hussain

Versus

1. Sri S S Pratiyal, S/o (not known),  
Chief Signal Inspector (D)-I, NC Rly., Allahabad.
2. Sri Tarun Prakash, S/o (not known),  
Senior Divisional Signal and Telecommunication  
Engineer (Sr. DSTE).

... Respondents

By Adv : Sri ....

ORDER

By Maj Gen K K Srivastava, Member (A).

This contempt application has been filed, under Section 17 of the A.T. Act, 1985, for non compliance of the order of this Tribunal dated 16.8.2002 passed in OA no. 1506 of 2001. This Tribunal by order dated 16.8.2002 directed the respondents to decide the representation by a reasoned and speaking order within three months, in case the applicant files fresh representation for which the Tribunal gave him liberty. Learned counsel for the applicant submitted that the applicant's representation dated September 2002 was received in the office of Divisional Railway Manager on 3.9.2002. The applicant has filed copy of representation as annexure 2 on which the acknowledgment of the respondents is given. Learned counsel

.....2/-



2.


for the applicant submitted that the period of three months expired on 2.12.2002, but the respondents have decided the same vide order dated 4.2.2003 (Ann 6). Thus the respondents have committed contempt of this Tribunal by not adhering to the time scheduled.

2. Learned counsel for the applicant further submitted that the order dated 4.2.2003 is not reasoned and speaking order and therefore, the respondents are liable for punishment having committed contempt of this Tribunal.

3. We have heard learned counsel for the applicant, considered his submissions and perused records.

4. There is no doubt that there is delay of about two months on the part of the respondents in deciding the representation. From perusal of the order dated 4.2.2003 (Ann 6), it appears that the applicant filed another representation on 30.12.2002 because the reference of that has been given in the said order.

5. For the aforesaid, in our considered opinion, no case of contempt is made out. Since the order has already been passed by the respondents, the applicant, if still aggrieved may come on original side. Contempt application is rejected accordingly.

  
Member (J)

  
Member (A)

/pc/