

Reserved

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD.

Dated : This the 3rd day of December 2003.

Contempt Application no. 154 of 2003
in
Diary Number 981 of 2002

Hon'ble Maj Gen K.K. Srivastava, Member-A
Hon'ble Mr. A.K. Bhatnagar, Member-J

Pardeshi Tirthraj Kanaujia,
Postal Assistant, Head Post Office,
Padrauna, Distt. Allahabad.

... Applicant

By Adv : Sri V.K. Srivastava

V E R S U S

Sri Bahadur Singh, Director Postal Services,
Gorakhpur region, Gorakhpur.

... Respondent

By Adv :

O R D E R

Hon'ble Maj Gen K.K. Srivastava, Member-A.

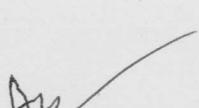
This contempt application has been filed for punishing the respondent for wilful disobedience of the order of this Tribunal dated 21.3.2002 passed in OA no. 981 of 2002. By order dated 21.3.2002 respondent no. 3 (alleged contemner) i.e. Director Postal Services, Gorakhpur Region, Gorakhpur, was directed to decide the appeal of the applicant within a period of two months from the date of receipt of copy of this order.

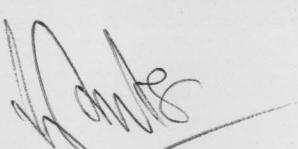
2. The copy of the order was prepared on 11.4.2002 and the applicant's counsel received the copy of the order on 11.4.2002 itself. This contempt application has been filed on 04.09.2003. On perusal of annexure 2 of the contempt application, we observe that surprisingly the copy of the order was sent by the applicant to senior supdt. of Post

2.

Offices, Deoria, rather than to the respondent i.e. Director Postal Services for whom clear directions were given by order dated 21.3.2002. However, the applicant ultimately served the order of this Tribunal on the respondent i.e. Director Postal Services only on 30.6.2003 and thereafter filed this contempt application on 4.9.2003.

3. We have carefully perused the contempt application. We have no doubt in our mind that the applicant has been casual. The applicant has not advanced any good ground as to why he could not serve the order on the respondent i.e. Director Postal Services timely. Even if we allow a reasonable time of one month for service of order dated 21.3.2002, it should have been served on the respondent by 11.5.2002 as the order was received by the applicant on 11.4.2002. But the applicant has been sleeping over his right and in the meantime limitation has slipped away. More than one year has passed and in these circumstances the contempt application , being barred by time, is rejected.


Member-J


Member-A

/ pc/