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PART IES

VERSUS

PART A B & C

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

AHMEDABAD

(3)

Contempt

GA/TA/MA/RA/C.A. No.

48

1991 in O.A.

D. J. Goshwami

APPLICANT(S)

Mr. M. S. ...

COUNSEL

VERSUS

W. I. ...

RESPONDENT(S)

Mr

COUNSEL

Date	Officer Report	Orders
	<p><i>Advance</i></p> <p><i>Copy not served</i></p> <p><i>(DR Ghali ASH)</i></p> <p><i>21/1/92</i></p>	<p>Pl. issue notice in form-III on Shri Sushil Kumar, D.E (Telephones) Junagadh.</p> <p>Notice served on Respondent dated 15/1/92</p>
<p><i>9/3/92 Bafal</i></p> <p><i>3/92</i></p>		<p>Pl. issue ltr to Respondent and dtd 24/2/92 thru DPs.</p> <p><i>26/2</i></p> <p>None present. Reply not filed in per order on 24.2.92. matter to stand for appropriate order</p> <p><i>29/3/</i></p> <p><i>11/5/92</i></p>
		<p>REPLY FILED by Bharat Nark on dtd. 9/5/92</p> <p>REJOINDER FILED by Shri M. S. Trivedi</p>

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C.A./48/91

IN

O.A./462/88

Date	Office Report	Orders
1.12.1991	<p>Resp. Submitted</p> <p>Reply is not filed as per this order</p> <p>H.M. Nishank 21-2-92 S.O.</p>	<p>Present :Shri M.S. Trivedi, learned advocate for the applicant.</p> <p>Heard learned advocate Shri M.S. Trivedi for the applicant. This application is filed within one year from the date of the order passed by this Bench in O.A. No.462 of 1988. The respondent No.2 has not complied with the order of this Bench, Hence we take cogni- zance of this application. Notice to be issued in form III to Shri Sushilkumar, Divisional Engineer (Telephones), Junagadh, who is op^ponent No.1 in this Contempt Application , to show cause why contempt proceedings ^{should} are not to be taken against him. for non compliance of the order of the Tribunal. Copy of this order be sent alongwith form No. III. Notice returnable within four weeks. <i>The resp. repl. be filed on</i> <i>affidavit by applicant</i> <i>Respl</i> (R.C.BHATT) Member (J)</p> <p>(A.B.GORTHI) Member (A)</p> <p>*Ani.</p>

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C.A.No. 48/91

in

O.A.No. 462/88

Date	Office Report	ORDER
24-2-92	<p>Res. submitted Reply has been filed by Telecom Dist. manager, Junagadh. R.C. Bhatt SO 1492</p>	<p>Heard Mr. M.S. Trivedi, learned advocate for the applicant. The notice in Form III was served on the Respondent No.1 Shri Sushilkumar, The Divisional Engineer (Telephones) Junagadh Division, Junagadh on 15th January, 1992 as appears from the acknowledgement receipt of the notice. The Respondent No.1 has not cared to file reply on affidavit. Hence as a last chance the time granted upto 9th March, 1992 to file reply on affidavit failing which this Tribunal will be constrained to pass order procuring personal presence of the officer concerned. Direct service permitted. The matter be listed on the next available bench.</p> <p style="text-align: center;"><i>R.C. Bhatt</i> (R.C. Bhatt) Member (J)</p> <p style="text-align: center;"><i>M.Y. Priolkar</i> (M.Y. Priolkar) Member (A)</p> <p>Mr. Kureshi learned advocate for the applicant wants time to check the correct position. After the review application was dismissed for no removing office objection. The matter is adjourned.</p> <p style="text-align: center;"><i>R. Venkatesan</i> (R. Venkatesan) Member (A)</p> <p style="text-align: center;"><i>R.C. Bhatt</i> (R.C. Bhatt) Member (J)</p>

2.4.1992

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Date Office Report

Order

11/06/92

Present : Mr. M. S. Trivedi learned counsel
for the petitioner.
Mr. Akil Kureshi learned counsel
for the respondents.

Heard counsel for the both parties.
Put up for dictation of the order on 18th June, 1992.

(B. B. MAHAJAN)
Member (A)

(D. L. MEHTA)
Vice Chairman

AIT

18.6.92

Mr. M.S. Trivedi learned counsel for the
applicant is present. Mr. Kureshi learned counsel
for the respondents is also present. Counsel for

the respondents says that in the order of the
Tribunal has been complied ^{with} in the period as

order regarding reinstatement of the applicant.

He has prayd for two weeks time for payment of

backwages. Counsel for the applicant has no

objection. The case may be listed after two

weeks.



(R.C. BHATT)
(R.L. BHATT)
Member (J)

(B.B. Mahajan)
Member (A)

*K

(7)

C.A./48/91
in
O.A./462/88

Date	Office Report	O R D E R
7.8.1992 (14)		<p data-bbox="584 494 1201 533">Present: None for the applicant.</p> <p data-bbox="747 546 1282 585">Mr. Akil Kureshi, Adv./Res.</p> <p data-bbox="568 624 1591 989">Mr. M.^S. Trivedi learned counsel for the applicant is out of station. Mr. Akil Kureshi learned counsel for the respondents to file additional reply with a copy to applicant. List for final hearing on 27th August, 1992.</p> <div data-bbox="584 1015 812 1158"> (R.C. Bhatt) Member (J)</div> <div data-bbox="1266 963 1559 1171"> (N.V. Krishnan) Vice Chairman</div> <p data-bbox="568 1275 625 1315">*K</p>

Contempt

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH

B

8

C.A./48/91
in

O.A. No./462/88
~~XXXXXX~~

DATE OF DECISION 27.8.1992

D.J. Goswami Petitioner

Mr. M.S. Trivedi Advocate for the Petitioner(s)

Versus

Union of India, & Ors. Respondent

Mr. Akil Kureshi Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. N.V. Krishnan

: Vice Chairman

The Hon'ble Mr. R.C. Bhatt

: Member (J)

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgement ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?

D.J. Goswami

.. applicant

Vs.

1. Union of India,
Through:
Shri Sushilkumar,
The Divisional Engineer,
(Telephones), Junagadh,
Division, Junagadh.

2. Shri N.M. Bhadreja,
A.E. Phones (PRX),
Porbandar- 380 575

.. Respondents.

O R A L J U D G M E N T

C.A./48/91
in


O.A./462/88


Date: 27.8.92

Per: Hon'ble Mr. N.V. Krishnan, Vice Chairman

Present: Mr. M.S. Trivedi, Adv./App.
Mr. Akil Kureshi, Adv./Res.

Heard. The learned counsel for the applicant submits that the order has been complied with but not within the time specified by the Tribunal. The respondents submit that a review was filed which was dismissed on 3.3.1992. Thereafter, the original order has been complied with in reasonable time. In the circumstances, we do not find any wilful contempt. Accordingly, this application is closed and notice issued to the respondents is discharged.


(R.C. Bhatt)
Member (J)


(N.V. Krishnan)
Vice Chairman