

CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

No. CPC 76 of 96
(OA 152 of 96)

present : Hon'ble Mr. Justice S.N. Mallick, Vice-Chairman

Hon'ble Mr. S. Dasgupta, Administrative Member

LAKHAN SAHOO & ORS.

VS

UNION OF INDIA & ORS.

For the applicants : Mr. M.K. Bandyopadhyay, counsel
Mr. B. Banerjee, counsel

For the respondents : Ms. S. Ray, counsel

Heard on : 24.7.98

Order on : 24.7.98

O R D E R

S.N. Mallick, VC

In this Contempt Application the petitioner's grievance is that the respondents have not complied with the order of this Tribunal passed on 7.3.96 in OA 152 of 96. The direction given in the aforesaid order is as follows :

" That the representation made by the applicants to the respondents, appearing at page 28 of the application (Annexure A/3) which is still pending, be disposed of by the respondents, within a period of 3 months from the date of communication of the order by passing a speaking order, according to rules."

2. It is submitted by the 1st. counsel for the petitioners that the speaking order has been passed by the respondents authorities much after the prescribed time contained in the aforesaid order of the Tribunal during the pendency of this Contempt Application. The speaking order has been annexed to the reply furnished on behalf of the alleged contemners which is to be found as R/II. This speaking order was passed on 13.2.97. It cannot be denied that there was

delay in passing the speaking order in compliance with the Tribunal's order. In paragraph 6 of the reply the delay has been explained and unqualified apology has been tendered. It is stated that in order to pass a speaking order the old records had to be consulted and due to shifting of the office of the respondents from Garden Reach to Shalimar and again from Shalimar to Garden Reach it ~~is~~, however, difficult to trace out the records. We are convinced that there was no intentional delay on the part of the respondents in compliance with the order of the Tribunal. We do not find any substance in the Contempt Application and to proceed with the matter any further in view of the aforesaid. The proceedings are dropped and the application stands disposed of.

W.C.
MEMBER (A)

J.C.
VICE-CHAIRMAN

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