

CENTRAL ADMINISTRATIVE TRIBUNAL  
CALCUTTA BENCH

No. CPC 126 of 2006  
(OA 607 of 1996)

Date of order : 7.12.06

Present: Hon'ble Ms.S.Srivastava, Judicial Member  
Hon'ble Dr.A.R.Basu, Administrative Member

TARAK CH. ROY

VS

UNION OF INDIA & ORS.

For the applicant : Mr.A.K.Bairagi, counsel  
For the respondents : Mr.P.K.Arora, counsel

O R D E R

S.Srivastava, JM

This Contempt Application has been filed for disobedience of the order of the Tribunal passed in OA 607/96 dated 3.11.03.

The instant application for contempt has been filed on 18.7.06. Therefore the preliminary question is whether the application is within limitation. Section 20 of Contempt of Courts Act reads as under :

“No court shall initiate any proceedings for contempt, either on its own motion or otherwise, after the expiry of one year period from the date on which the contempt is alleged to have been committed”.

2. The question that comes into focus, is the point of time when contempt is committed. In the case before us the order was passed on 3.11.03 with a direction to dispose of the representation within 3 months from the date of communication of the order. In the case of Satheesan,T. –vs- J.D.Sheelam [(1996) 32 ATC 330], a Division Bench of this Tribunal has held that limitation starts from the date of disobedience of the order. The limitation does not get extended by granting of time to obey. In this view of the matter we are of the considered opinion that the instant application filed on 18.7.06 for non-compliance of the order dated 3.11.03 is barred by limitation. We do not think

