

Central Administrative Tribunal, Lucknow Bench, Lucknow

CCP No .4/2009 in O.A. No. 3/2001

This the 20th day of September, 2010

Hon'ble Sri G. Shanthappa, Member (J)

Hon'ble Sri S.P.Singh, Member (A)

Ram Gopal aged about 51 years son of late Sri Bateshwar Dayal, resident of 6/558, Vikas Nagar, Lucknow –226022 (presently working as Accountant in the office of Regional Deputy Director, Song and Drama Division, Western Region, Pune-9.

Applicant

By Advocate:- Sri R.C.Singh

Versus

1. N.N. Singh the then Acting Director (Presently Joint Director , Song and Drama Division, Soochana Bhawan, CGO Complex, Lodhi Road, New Delhi.
2. Dr. Vijayaraghavan, Dy. Director (Sound and Light , Admn. & Vigilanc) Soochana Bhawan, CGO Complex, Lodhi Road, New Delhi.

Respondents

By Advocat:- None

ORDER(ORAL)

Hon'ble Shri G. Shanthappa, Member (J)

Respondents counsel has sent adjournment slip.

2. We have heard the learned counsel for the applicant.
3. The above contempt petition has been filed u/s 17 read with Section 12 of the Contempt of Court Act, 1971 for disobedience of order of this Tribunal dated 4.9.2008 in O.A. No. 3 of 2001. After service of the notice on the alleged contemnors, they have filed counter along with an order dated 4.11.2008. The said order is based in compliance of order of this Tribunal in O.A . No. 3 of 2001 dated 4.9.2008. The learned counsel for the applicant submits that there was a clear direction of this Tribunal, the respondents instead of complying the direction of this Tribunal, issued an order dated 4.11.2008, which is against the interest of the applicant. It is further submitted by the learned counsel for the applicant that it is not the compliance in respect of the Tribunal's order.
4. We have carefully considered the pleadings and submissions made by the learned counsel of the petitioner. The learned counsel for the applicant admits that the respondents have issued an order dated 4.11.2008, which is not in strict compliance of the direction of this Tribunal's order dated 4.9.2008. When the respondents have filed the counter affidavit to the



contempt petition along with order of compliance, it is open for the applicant to challenge the order dated 4.11.2008 in a separate proceedings. We are convinced with that the respondents have complied the direction of this Tribunal. Accordingly, the contempt petition does not survive. We drop the contempt proceedings against the respondents. Notices issued to the alleged contemnor are discharged.


(S.P.Singh)
Member (A)


(G. Shanthappa)
Member (J)

HLS/-