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CENTRAL ADMINISTRATIVE TRIBUNAL LUCKNOW BENCH LUCKNOW

Contempt Application No. 61 of 1992

IN

Transferred Application No. 1 of 1990

Vishwanath Gautam Applicant

Versus

Union of India & Others Respondents

Hon'ble Mr. Justice U.C.Srivastava, VC

Hon'ble Mr. K. Obayya, Member (A)

(By Hon'ble Mr. Justice U.C.Srivastava, VC)

Making a complaint against the respondents that the order dated 16.9.1991 has not been complied with, the applicant has again approached this tribunal praying for taking action against the respondents under the contempt of Court Act. The date of birth was in dispute. The applicant filed a civil suit before his retirement although, he was retired. His application was allowed and the respondents were directed to nominate an authority and fix some date for hearing and for tendering evidence for proving his date of birth regarding the statement of ^{his} mother on affidavit and ~~to~~ they were directed to decide the said matter with reference to Indian Evidence Act and to decide the matter within a period of six months. According to the applicant, they are not holding any enquiry in accordance with the directions given by this tribunal.

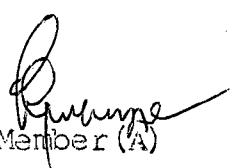
2. The respondents in their counter-affidavit ^{have} stated that the respondent no. 2 has informed the applicant and called upon him to give evidence if any which was done on 30.4.1992. It was thereafter, the entire evidence ~~was~~ ^{was}


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He gave his decision after taking into consideration the evidence and the reply has been filed by the respondent no. 1 and 2 who stated that a letter dated 10.4.1992 was sent on behalf of Executive Director, Delhi Region nominating the Respondent no. 2 as the Authority to receive evidence and after evidence a decision was taken, which is contained in his report, which was submitted alongwith his letter. It may be that of course, so far as the time schedule is concerned; it has not been adhered to, but it cannot be said that the order dated 16.9.1991 passed by this tribunal has not been complied with. Accordingly, no longer contempt subsists and the application is consigned and notices are discharged.


Member (A)


Vice-Chairman

Lucknow Dated: 30.4.1993.

(RKA)