

(A2)

CENTRAL ADMINISTRATIVE TRIBUNAL LUCKNOW BENCH

LUCKNOW

Contempt Petition No. 39/92

in

(O.A.No. 417/91)

Arun Kumar Srivastava.... Applicant

Versus

Dr. Krishna Joshi and another. Respondents.

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

Hon'ble Mr. K.Obayya, A.M.

(By Mr. Justice U.C.Srivastava, V.C.)

This contempt application was moved on 28th May, 1992, making a complaint that a direction given by this Tribunal has not been complied with by the respondents who have, therefore, flouted the order dated 21.2.92 by which this Tribunal directed that the respondents/appellate authority to decide the appeal, if not decided so far within a period of 3 months from the date of receipt of the copy of the order. It has been stated that on 24.2.92 that is four days after the expiry of 3 months. He filed this application.

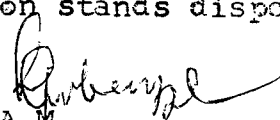
2. The respondents in their reply have stated that the appeal was decided by the respondent no.2. i.e. the Director Central Drug Research Institute. In his reply he has stated that the copy sent by the applicant which was received in his office on 27.2.92 and from the Tribunal the copy could be obtained on 28.2.92. The appeal disposed of on 27.5.92 as such it cannot be said that the order passed by the Tribunal has not been complied with and even if it will be said that the delay of a day or two that is no ground for taking any action under the Contempt of Court Act. It is difficult

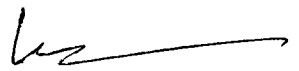
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to accept that the appeal has not been decided
and the Director will file affidavit in which the in-
correct averment has been made and accordingly
as the order has been complied with the contempt
application stands disposed of .


A.M.


V.C.

Dated: 5.8.92

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