

CENTRAL ADMINISTRATIVE TRIBUNAL LUCKNOW BENCH LUCKNOW

Contempt Application No. 53 of 1992

IN

Original Application No. 361 of 1990

Versus

Union of India & Others Respondents

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

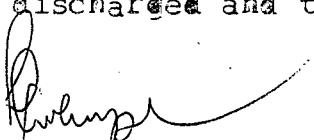
Hon'ble Mr. K. Obayya, Member (A)

The complaint of the applicant in contempt application is that the order passed by this tribunal has not been complied with. Against the transfer order the applicant has approached the tribunal. With certain observations and directions, we disposed of the application filed by the applicant within a particular period taking into consideration with certain fact. The grievance of the applicant is that the directions given by the tribunal, have not been complied with and the time schedule has not been adhered to. The matter came up before us today and we have found that the time schedule may not have been adhered to, but it appears that the case of the applicant was considered and thereafter order has been passed. It can be said that the technical contempt has been committed and the representation of the applicant has not disposed of within time, that may be so. A person can be hauled up under the contempt of Court Act, if a clear case under the Contempt of Court Act may be made out. Merely because, the representation of the applicant has been disposed of after a particular period that will not make other person guilty and the notice of the matter

Contd... 2/-

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can not be taken when the matter has already been disposed of. As no clear case of contempt has been made out notwithstanding the facts that the time schedule has not been adhered to. We can at the most say that ~~the~~ ^{to} ~~contamout~~ technical contempt has been made out. Accordingly, this contempt application deserves to be dismissed and as such it is dismissed. Notices are discharged and the application is consigned.


Member (A)


Vice-Chairman

Lucknow Dated: 9.12.1992.

(RKA)