

Contempt Petition No.9/2002

in

Original Application No.123/96.

Date : 21.1.2002.

Heard Shri G.K.Masand, Learned Counsel for the applicant. From the averments made in the application and arguments heard, we are satisfied that prima facie a case~~s~~ being made out against respondent No.2, G.P.Sinha, General Manager, Ordnance Factory, Bhusaval for wilful disobedience of order dt. 9.7.2001 passed in OA No.123 of 1996 : K.K.Dahuja Vs. Union of India & Ors. However, during arguments it has been brought to our notice by Learned counsel for the applicant that a notice has been received by the applicant that a writ petition has been filed before the Hon'ble High Court which was to come up on Board today, but has not come up on board. Be it as it is, the respondents are supposed to comply with the order soon after it comes to their notice. They have certainly approached Hon'ble High Court but that does not absolve them from ~~the respondents~~ ^{responsibility} of giving effect to the order unless some interim order is granted by Hon'ble High Court.

2. In aforesaid circumstances, we are satisfied from facts and circumstances of the case that a prima facie case for wilful disobedience of order is made out against contemnor - respondent Vinod Vaish, Secretary, Ministry of Labour, Shramshakti Bhavan, Rafi Marg, New Delhi.

3. Therefore, issue notice to show case to Vinod Vaish as to why he should not be ~~published~~ ^{punished} for wilful disobedience of order dt. 9.7.2001 passed by this Tribunal in OA

NO.123/1996 : K.K.Dahuja Vs. Union of India & Ors. In case Vinod Vaish appears through a Counsel and files reply then he need not be present personally on the date fixed.

4. As we do not consider it necessary at this stage, to issue notice to G.P.Sinha, the question of issue of notice for G.P.Sinha will be considered after receipt of reply of Respondent No.1.

List the case on 22.2.2002.

B.N.Bahadur

(B.N.BAHADUR)
MEMBER(A)

B.Dikshit

(BIRENDRA DIKSHIT)
VICE-CHAIRMAN

H/B.

J-II-N
B.Dikshit