

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH

C.P. NO. : 14/2001 In O.A. No. 711/99

Dated this Tuesday, the 21st day of August, 2001.

CORAM : Hon'ble Shri B. N. Bahadur, Member (A).

Hon'ble Shri S. L. Jain, Member (J).

T. D. Sawant ... Petitioner.

(By Advocate Shri P.A. Prabhakaran)

VERSUS

Shri A. Balasubramaniam,
Chairman,
Central Board of Direct Taxes,
Department of Revenue,
Ministry of Finance,
New Delhi - 110 001.

... Respondents.

(By Advocate Shri V. G. Rege)

TRIBUNAL'S ORDER

We have before us for consideration C.P. No. 14/2001 with regard to the order in O.A. No. 711/99. The order in the O.A. was by way of a direction to the Central Board of Direct Taxes for disposal of a representation within three months from the date of receipt of a copy of the order. The order was dated 28.04.2000.

2. We have seen the affidavit in reply to contempt petition and have been assisted today by the Learned Counsel for Original Applicant, Shri P.A. Prabhakaran. We have also heard Shri V. G. Rege on behalf of alleged Contemnor. The position on fact is

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that the order is complied on 27.05.2001, as could be seen from the annexure to the Written Statement. Thus, it is clear that although direction have been complied with ^{it is} ~~not~~ after a considerable delay of almost 8 to 9 months, Apology has been made on behalf of original Respondents. Considering all these facts, while we note the delay, we do conclude that there is no element of intentional disobedience. We, therefore, hold that no contempt is committed and discharge the contempt notice and reject the contempt petition. No costs.

S. L. JAIN

(S. L. JAIN)
MEMBER (J).

B. N. BAHADUR

(B. N. BAHADUR) 21/8/01
MEMBER (A):

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cl. 21/8/01
order/Judgment attached
to Appl. Respondent(s)
on 31/5/01

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