

15) 21-1-2002

C.P. No. 99/2001

Shri S.P. Saxena for the applicant
Shri R.R. Shetty for Shri R.K. Shetty,
Id. counsel for Respondents

This is a contempt petition arising out of Judgement dated 25-6-2001 in O.A. No. 417/2000 (Shri M.S.I. Patel & 20 others v/s. Union of India & others) whereby the Respondents were directed to revise the pay of the Applicants at par with the pay scale of Demonstrators of the U.G.C. with effect from 1-1-1996 from the date when the recommendations of the 5th pay commission had become applicable within a period of 2 months from the date of receipt of a copy of this order.

According to averments made in para. 3 of contempt petition, the copy of order was received by office of Contemnor-Respondents No. 2 on 9-7-2001. This Tribunal had extended time ^{by} four weeks for implementing Judgements in view of M.P. No. 854/2001. It is argued by Id. counsel for applicants that the Judgements has not been complied with by Respondents. From the averments made and the arguments heard, we are satisfied that prima-facie case is made out for taking action under section 11 head with section 12 of contempt of courts Act.

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We, therefore, issue notice to Contemnor-Respondent No. 2, Air Marshal A. K. Trikha, Commandant, N.D.A., Khadakwasla, ^{PUNE} ~~PUNE~~ - 411 023 to explain why action should not be taken against him for wilful disobedience of the order of this Tribunal. The notice will indicate that the C.P. will be taken up on 22/02/2002. In case Contemnor-Respondent No. 2 is represented by a counsel and he files his reply, then he need not appear personally unless he is so directed.

The issue of notice to Contemnor-Respondent No. 1 will be considered after receiving reply of Contemnor-Respondent No. 2. Case posted to 22/02/2002.

B. B.
(B. B. Bahadur)
MCA)

B. B.
(B. B. Bhat)
M.C.

OS

N+O
S.H.
22/1/02

Notices

to
on 31/1/02
R
11/2/2002