

CP 63/05

Dt.27.1.2006

Applicant by Shri S.V. Marne.

2. This Contempt Petition has been moved by the petitioner alleging non-compliance of Tribunal's order dated 21.3.2002 given while disposing of OA 836/01. The learned counsel for the petitioner submitted that earlier CP 114/03 was disposed of by the Tribunal vide order dated 16.8.2004 holding that there is no wilful disobedience on the part of the respondents when the learned counsel for the respondents submitted in the Court that the respondents had started the process for implementing the Tribunal's direction. The learned counsel for the petitioner stated that till date the applicants have not received any communication from the respondents. The learned counsel further mentioned that notice to DRM, Mumbai Division was sent by the Advocate on 7.1.2005.

3. After hearing the learned counsel for the petitioner and going through the record, we are of the opinion that *prima facie* case for contempt is made out.

4. Notice be issued to respondent no.2 to show cause as to why contempt proceedings cannot be initiated against him. Let reply be filed within six weeks. Personal appearance as of the present is dispensed with.

5. List this case on 28.3.2006.


(S.D. Deshmukh)
Member(J)


(A.K. Agarwal)
Vice Chairman

By Noti Recd

posted on
21.4.06


21/06

By Noti Recd
posted on 30/6/06