

CP No. 12/2004 dated 30.8.2004

for order filed Applicant by Shri G.S. Walia.
Respondents by Ms. Fernandes

on 30/10/04

(J) CP 12/2004 has been filed by the applicant Shri N.G. Detha alleging non-compliance of the Tribunal's order dated 18.9.2003 wherein a direction was issued to consider the applicant for empanelment.

MP 81/04 has been filed on behalf of respondents seeking extension of time by a further period of three months for implementation of the order.

We have heard both the counsel on MP. Learned counsel for applicant mentions that information mentioned in para 2 regarding receipt of Tribunal's order on 13.10.2003 is not correct. He mentioned that the order was served on the counsel for respondents on 22.9.2003. This has also been confirmed from the records. Learned counsel for the respondents also admitted the same. ~~Secondly in para 3 it is mentioned that~~ *Thus* an attempt has been to give a wrong impression about date of receipt of the order. We are also not satisfied as to how postings of persons at different places will come in the way of consideration by competent authority for empanelment of the applicant. We do not see any merit in the MP and the MP is rejected.

Notice may be issued to contemners 1 and 2 as to why action may not be initiated against them for not complying with the order dated 18.9.2003. Personal appearance of the contemners is dispensed with.

List the case on 05.3.2004

Shy
(MUZAFFAR HUSAIN)
Member (J)

Karl
(A.K. AGARWAL)
Vice Chairman.

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