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CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE

DATED THIS THE 2nd DAY OF JULY , 1987

Present : Hon'ble Justice Sri K.S.Puttaswamy

Vice-Chairman

Hon'ble Sri L.H.A.Rego

Member (A)

C.C.APPLICATION No.17/87

S.Nanjiah,  
r/a 14, 1st Cross,  
Dattatreya Extension,  
Bangalore - 19.

...

Applicant

( Sri A.V.Srinivas

...

Advocate )

Vs.

H.V.Ramachandra Rao,  
Station Director,  
All India Radio,  
Bangalore

...

CONTEMPTOR

This application has come up before the court today.

Hon'ble Justice Sri K.S.Puttaswamy, Vice-Chairman made the following :

ORDER

In this Application made under Section 17 of the Administrative Tribunal Act, 1985 (The Act) and the Contempt <sup>of</sup> Courts Act 1971 (1971 Act), the petitioner has moved this Tribunal for wilful disobedience of an order made in his favour in A.No.1921/86(F) by the Contemner. In A.No.1921/86(F) this Tribunal directed as hereunder :

"In the result we pass the following order:-

- i) Order of suspension dated 27.8.83 at Annexure G is hereby quashed.
- ii) The disciplinary authority will consider the applicant's request for engaging a legal practitioner afresh in the light of the last limb of Rule 14(8). The applicant should within 15 days of receipt of this order make a fresh application in this regard to the disciplinary authority setting out the special circumstances for consideration and the disciplinary authority will take a decision thereon within a week after the receipt of the application.
- iii) The disciplinary authority will also, at the same time, suggest a panel of names of officials who could act as



defence assistants of whom the applicant may choose one. The applicant may approach the disciplinary authority for this purpose within 15 days of receipt of this order. The applicant also is at liberty to suggest names of officials whom he would like to engage for his defence to the disciplinary authority within the same period and the disciplinary authority subject to the rules, will order their relief for the purpose."

In the purported compliance of this order, the Contemnor had made different orders which are being separately challenged by the petitioner in A.No.444/87 and 477/87 before us which are still pending. The errors if any committed by the contemnor in those orders have to be examined and decided in those cases only. Even assuming that those orders are erroneous, on which we express no opinion in this case, then also we cannot hold that there has been wilful disobedience of the order of this Tribunal by the contemnor and bring this Tribunal into disrepute in the eyes of the public. In these circumstances we do not find any justifiable grounds to proceed against the contemnor under the 1971 Act.

2. In the light of our above discussion we hold that this application is liable to be rejected. We, therefore, reject this Contempt of Court Application without notice to the contemnor at the admission stage. But this should not be understood by either parties, as this Tribunal expressing its opinion on the merits of the orders made by the Contemnor which are the subject matter of challenges in A.Nos.444/87 and 477/87.



Sd \_\_\_\_\_

VICE-CHAIRMAN

True copy

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MEMBER(A)

27.87

SECTION OFFICER 13/2  
CENTRAL ADMINISTRATIVE TRIBUNAL  
ADDITIONAL BENCH  
BANGALORE