

(1)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL,

BANGALORE

C.C.C NO. 10 / 1982
1986

IN

APPLICATION NO.1635/86

BETWEEN:

SRI. A.S. MURTHY,
Staff Artist Drama Voice 'A',
All India Radio,
Bangalore.

...COMPLAINANT

AND:

The Secretary,
Government of India,
Ministry of Information &
Broad Casting,
New Delhi.

...ACCUSED

MEMORANDUM OF CONTEMPT OF COURT UNDER SECTIONS
11,12 AND 13 OF THE CONTEMPT OF COURTS ACT,1971

READ WITH SECTION 17 OF THE CENTRAL ADMINISTRATIVE
TRIBUNALS ACT, 1985 AND THE CENTRAL ADMINISTRATIVE
TRIBUNAL (CONTEMPT OF COURT) RULES 1986.

The Complainant respectfully submits the
following complaint against the accused named above.

1. The Complainant filed an application
No.1635/1986 in the Central Administrative
Tribunal, Bangalore praying for quashing the
order of termination of contract dated 18-9-85.

..2.

No of Correction - ONE

Dayan

/2/

2. The Hon'ble Tribunal in the order dated 13-2-1987, quashed the order dated 20-9-1986 made by the accused i.e. the Secretary to the Ministry of Communication and Broad Casting, Government of India and further communication issued thereto on 22-12-1986 and directed him to restore the appeal filed by the applicant to its original file and dispose of the same in accordance with law, with all such expedition as was possible in the ~~xxxx~~ circumstances of the case, in any event, within a period of two months from the date of receipt of that order (vide para 14 of the order) *ae*

3. By an Interlocutory application filed on 24-4-1987 the accused requested for extension of time by another two months to comply with the order made by the Hon'ble Tribunal on 13-2-1987. The Hon'ble Tribunal granted extension of time for compliance of the order upto 31-5-1987.

4. However, the orders have not been complied with so far.

5. The accused having full knowledge of the orders of this Hon'ble Tribunal, has deliberately *not* *ae* obeyed the orders and has thus committed contempt of court, has rendering himself liable to be proceeded against under section 11, 12 and 13 of

..3.

Not Corrected - ONE

Wagman

(2)

/3/

the Contempt of Court Act 1971, read with Section 17 of the Central Administrative Tribunal Act, 1985 and Central Administrative Tribunal (Contempt of Court) Rules 1986.

6. By the wilful disobedience of the orders of this Hon'ble Tribunal the accused has substantially interfered with the course of justice. His contemptuous conduct deserves punishment if effective and orderly administrative of justice is to be ensured.

PRAYER

WHEREFORE, the Complainant humbly prays that this Hon'ble Tribunal be pleased to initiate proceedings against the accused under Section 11,12 and 13 of the Contempt of Court Act, 1971, read with section 17 of the Central Administrative Act, 1985 and the Central Administrative (Contempt of Court) Rules 1986 and further be pleased to ensure compliance of the order dated 13-2-1987 with a view of upholding the dignity, status and majesty of this Hon'ble Tribunal.

Bangalore.


Advocate for Complainant

Dated: 11-6-1987.

ADDRESS FOR SERVICE:

DR. M.S.NAGARAJA, B.Sc., ML, Ph.D.,
Advocate,
No.35, II Floor,
(Above Hotel Swagath)
I Main Road, Gandhinagar,
BANGALORE-560 009.

No of Correction - ONE

(A)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL,

BANGALORE

C.C.C.No. 10 /1987.

IN

APPLICATION NO.1635/86.

BETWEEN:

SRI. A.S. MURTHY

COMPLAINANT

AND:

The Secretary,
Government of India,
Ministry of Information &
Broad Casting,
New Delhi.

ACCUSED

AFFIDAVIT

I, A.S. MURTHY, Major, residing at
Kalamandir, 5th Cross, Hanumanthanagar, Bangalore-
560 019, do hereby solemnly affirm and state on
oath as follows:-

1. That I am the Complainant in the above
case and that I am conversant with the facts
of the case.

2. That what is stated in paras 1 to 6 are
true to the best of my knowledge, belief and
information.

A.S. Murthy

DEPONENT

SWORN TO BEFORE ME,

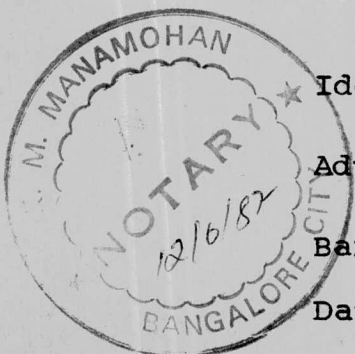
Identified by me,

Advocate

Bangalore,

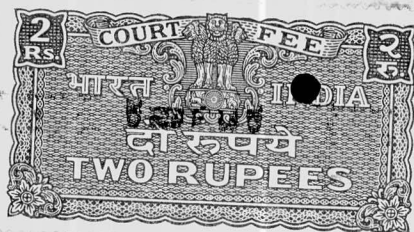
Dated:

No. of corrections=



Solemnly affirmed/ Sworn to before me
on.....12.....day of.....Jun.....1987

K. M. Manamohan
K. M. MANAMOHAN, M.A., B.L.,
ADVOCATE & NOTARY
No. 29/1, 1 Cross, R.M. Roy Extn.
K. H. Double Road,
BANGALORE - 560 027



5

BEFORE THE CENTRAL
KARNATAKA ADMINISTRATIVE TRIBUNAL BENCH
BANGALORE.

**IN THE HIGH COURT OF KARNATAKA
BANGALORE**

C.C.C. No. 10 of 1987

BETWEEN

A.S. Murthy

PETITIONER
APPLICANT
APPELLANT

Complainant

AND

VS. The Secretary
A.P.R. N. Delle

RESPONDENT
OPPONENT

Accused

I/We

A.S. MURTHY

Appellant/s, Petitioner/s, Applicant/s, Respondent/s, Nos. Complainant

in the above matter hereby appoint and retain Sri **Dr. M.S. NAGARAJA, B.Sc., M.L., Ph.D.,
ADVOCATE**

to appear, act and plead for me/us in the above matter and to conduct/prosecute and defend the same and all interlocutory or miscellaneous proceedings connected with the same or with any decree or orders passed therein, and also in proceedings for review of judgment and for leave to appeal to Supreme Court or compromise and obtain return of any documents filed therein, or to receive any money which may be payable to me/us in the said matter.

Executed by me/us on this 11th day of June 1987 at Bangalore.

[Signature]

[Signature]
Signature/s

Executant/s personally known to me and he/they has/have signed in my presence.

Satisfied as to the identity of executant/s signature/s.

[where the executant/s is/are illiterate, blind or unacquainted with the language of vakalat]

Certified that the contents were explained to the executant/s in my presence in _____ language known to him who appeared to have perfectly understood the same and signed his name/made his mark in my presence.

Address for service:

Accepted

[Signature]
Advocate/s for Complainant

Advocate/s for

Date:

11/6/87

**Dr. M.S. NAGARAJA B.Sc., M.L., Ph.D.,
ADVOCATE**

**No. 35, (ABOVE HOTEL SWAGATH),
1st MAIN ROAD, GANDHINAGAR,
BANGALORE-560 009**

Recd on 10/11/87

-copy-

hr

Sup. C.-75

D. No. 2349/87/sec.iv-A

**SUPREME COURT
INDIA**

All communications should be addressed to the Registrar, Supreme Court, by designation, NOT by name.
Telegraphic address :—
"SUPREMECO"

FROM The Assistant Registrar,
Supreme Court.

To The Chairman,
Central Administrative
Tribunal, Bangalore Branch, Bangalore,
Karnataka

Dated New Delhi, the 29th May, 1987

SPECIAL LEAVE PETITION NO. 6049/1987

WITH

CIVIL MISC. PETITION NO. 13461 OF 1987.
(Application for 13461 OF 1987.)

Station Director & Ors....Petitioners.

-vs-

Shri A.S.Murthy.....Respondent

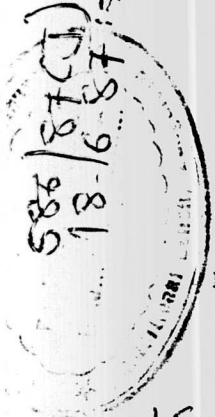
Sir,

I am directed to forward herewith for your information and necessary action a certified copy of the Order of this Court dated 27th May, 1987 made in the application above-mentioned.

Yours faithfully,

for ASSISTANT REGISTRAR

R. 18/6
S.R.K.



Registrar

1) P.I. memo
2) P.I. book up in the
computer
P. 18/6

tri/iv-A/-29.5.87/

174916

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

Certified to be true copy

Prem Sup. Daga

Registrar (Judl)

198

Supreme Court of India

PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) NO. 6049 OF 1987.
(Under Article 136 of the Constitution of India from the
Order dated the 13th Feb., 1987 of the Central Administrative
Tribunal Bangalore Branch in application No. 1635 /1986)

W I T H

CIVIL MISC. PETITION NO. 13461 OF 1987.
(Appln. for stay by notice of motion with a prayer for
an ex-parte Order.)

1. Station Director, A.I.R.,
Bangalore
2. The Deputy Director General,
A.I.R. New Delhi
3. The Director General,
A.I.R. New Delhi
4. The Secretary to the Govt. of
India Ministry of Information and Broad-
casting, New Delhi.

...Petitioners.

-versus-

Shri A.S. Murthy,
Staff Artist (Drama-Voice 'A'),
A.I.R., Bangalore, residing at
Kalamandir, 5th Cross Hanumanth Nagar,
Bangalore-560 009.

....Respondent

Dated 27th May, 1987

C O R A M:

HON'BLE MR JUSTICE B.C. RAY (VACATION JUDGE)

For the Petitioners: Mr. B. Datta, Addl. Sol Genl.

M/s. P. Parmeshwaran & R.P. Srivastava
Advs. with him.

THE PETITION FOR SPECIAL LEAVE TO APPEAL AND THE
APPLICATION FOR STAY above-mentioned being called on for
hearing before this Court on the 27th day of May, 1987, UPON
hearing Counsel for the Petitioners herein THIS COURT while
directing issue of Notice to the Respondent herein to show cause

contnd...2/-

why Special Leave be not granted to the Petitioners herein to appeal to this Court against the Order of the Central Administrative Tribunal, Bangalore Branch above-mentioned, DOTH ORDER that pending the hearing and final disposal by this Court of the application mentioned above for stay after notice, the operation of the Order dated 13th February, 1987 of the Central Administrative Tribunal Bangalore Branch in application No.1635 of 1986, be and is hereby stayed;

AND THIS COURT DOTH FURTHER ORDER THAT THIS ORDER be punctually observed and carried into execution by all concerned.

WITNESS the Hon'ble Shri Raghunandan Swarup Pathak, Chief Justice of India at the Supreme Court, New Delhi this the 27th day of May, 1987.

(K.K.SEGHAL)
DEPUTY REGISTRAR

why Special Leave be not granted to the Petitioners herein to appeal to this Court against the Order of the Central Administrative Tribunal, Bangalore Branch above-mentioned, DOTH ORDER that pending the hearing and final disposal by this Court of the application mentioned above for stay after notice, the operation of the Order dated 13th February, 1987 of the Central Administrative Tribunal Bangalore Branch in application No.1635 of 1986, be and is hereby stayed;

AND THIS COURT DOTH FURTHER ORDER THAT THIS ORDER be punctually observed and carried into execution by all concerned.

WITNESS the Hon'ble Shri Raghunandan Swarup Pathak, Chief Justice of India at the Supreme Court, New Delhi this the 27th day of May, 1987.

(K.K.SEGHAL)
DEPUTY REGISTRAR

SUPREME COURT

CIVIL APPELLATE JURISDICTION

SPECIAL LEAVE PETITION (CIVIL) NO. 6049/1987.

WITH

CIVIL MISC. PETITION NO. 13461 OF 1987.
(Applicant for ex parte stay)

of 198

Station Director & Ors... Petitioners.

Appellant
Petitioner

-vs-

Versus

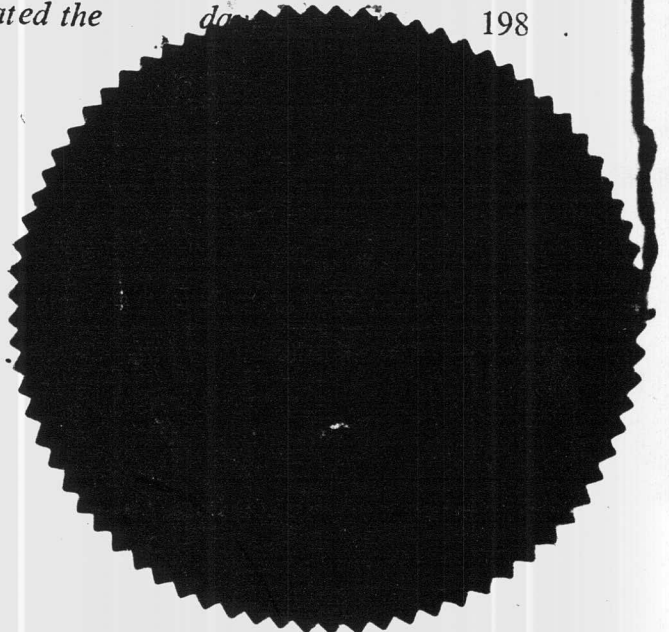
Shri A.S. Murthy, Respondent

Respondent

ORDER DIRECTING ISSUE OF SHOW
CAUSE NOTICE GRANTING AD-INTERIM/
EX-PARTE STAY.

Dated this the 27th day of May, 1987

Dated the day 198



SEALED IN MY
10/10/87

Engrossed by
Examined by tri/
Compared with 1V-A29.5.87
No. of folios

SHRI P. Ramaswaran,
Advocate on Record for the petitioners

SHRI
Advocate on Record for

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Dated : 22/7/87

Contempt of Court Application No. 10/86()
in Application No. 1635/86(F)
W.P. No _____

Shri A.S. Murthy
To

V/s The Secy, M/o Information & Broadcasting

3. The Secretary
Ministry of Information & Broad Casting
Shastri Bhavan
New Delhi - 110 001

4. Shri M.S. Padmarajaiah
Senior Central Govt. Stng Counsel
High Court Buildings
Bangalore - 560 001

Subject: SENDING COPIES OF ORDER PASSED BY THE BENCH IN CONTEMPT
APPLICATION NO. 10/87

6) Please find enclosed herewith the copy of the Order/~~Interim Order~~
passed by this Tribunal in the above said Application on 17-7-87.

DEPUTY REGISTRAR
~~SECTION OFFICER~~
(JUDICIAL)

Balu*

Order Sheet (contd)

Date _____

Office Notes

Orders of Tribunal

17.7.1987.

Dr. M.S. Nagaraja, learned
counsel for the applicant/complain-
ant, requests permission to with-
draw this application, as the
respondents/contemnors have obtai-
ned stay from the Supreme Court
~~on 20.4.1987~~ against our order
dated 30.4.1987.

In view of the above, the applicant/complainant is permitted to withdraw this application.

The contempt proceedings sought to be initiated by this application are hereby dropped.

Application disposed of accordingly.

MEMBER(A)

MEMBER(J)

- True Copy -