

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE

DATED THIS THE 23RD DAY OF JUNE, 1987

Present: Hon'ble Shri Justice K.S. Puttaswamy, Vice-chairman  
and  
Hon'ble Shri L.H.A. Rego, Member (A)

CONTEMPT OF COURT APPLICATION NO. 13/87

Shri R. Santhanam,  
Major, Senior Accountant,  
O/o the Deputy Director  
of Account (Postal),  
Bangalore-1.

.... Petitioner

v.

The Deputy Director of Accounts  
(Postal), Karnataka Circle,  
General Post Office,  
Vidhana Veedhi, Bangalore-1.


.... Contemnor

(Shri M.S. Padmarajaiah, CGSSC)

This application having come-up for hearing to-day,  
Vice-Chairman made the following.

O R D E R

Case called.

2. We have heard Shri R. Santanam, who is the petitioner and Shri M.S. Padmarajaiah, Senior Central Government Standing Counsel, who takes notice for the contemnor and files his memo of appearance for him.
  3. In this application made under Section 17 of the Administrative Tribunals Act, 1985 ('Act'), and the Contempt of Courts Act, 1971, the petitioner has moved this Tribunal to punish the contemnor for wilful disobedience of an order made in his favour in A.No. 1631/86 (F) on 11.12.1986.
- 

4. In the order made, this Tribunal had inter-alia directed the refund of a sum of Rs. 200/- to the petitioner earlier recovered from him. We find that the order of the Tribunal though dated 11.12.1986, was communicated to the parties, including the contemnor, only on 1.5.1987. In the order itself, this Tribunal had not specified any time-limit for refund of the amount of Rs. 200/- to the petitioner. Shri Padmarajaiah submits that the contemnor had already taken necessary action for refund and will also refund the amount specified in the order to the petitioner with all expedition and in any event within a period of two months from this day. On the facts and circumstances of the case, we cannot hold that the contemnor has wilfully disobeyed the order of this Tribunal. We are also of the view that the maximum time sought for by Shri Padmarajaiah to comply with the order is fair and reasonable. We do hope and trust that the contemnor will faithfully implement the order within the time stated before us, without giving rise to another needless proceeding under the Act. With these observations, we reject this application at the admission stage itself. But in the circumstances of the case, we direct the parties to bear their own costs.

  
Vice-Chairman 22/6

  
Member (A) 23.6.87

Mrv.

REGISTERED

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH  
@@@@@@@@@@@@@@@@

Commercial Complex(BDA),  
Indiranagar,  
Bangalore - 560 038

Contempt of Court

Dated : 2-7-87

7 APPLICATION NO 13/87 /~~xx~~( )  
In Application No.1631/86(F)

~~XXXXXX~~

Applicant

R.Santhanam

V/s. The Deputy Director of Accounts(Postal)  
Karnataka Circle, Bangalore.

To

1. Shri.R.Santhanam,  
~~Major~~, Senior Accountant,  
O/o. The Deputy Director of Account(Postal),  
Bangalore- 1.
2. The Deputy Director of Accounts (Postal),  
Karnataka Circle,  
General Post Office,  
Vidhana Veedhi,  
Bangalore- 1.
3. Shri.M.S.Padmarajaiah,  
Sr. Central Govt. Standing Counsel, High Court Buildings, B'lore- 1.

Subject: SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith the copy of ORDER/~~xxxx~~/

~~XXXXXXXXXXXX~~ passed by this Tribunal in the above said  
application on 23rd June, 1987

*[Signature]*  
SECTION OFFICER  
(JUDICIAL)

Encl : as above

*Received*  
*[Signature]*  
*2/7/87*  
*(R. SANTHANAM)*

*Issued*

*[Signature]*

*2/7/87*

CENTRAL ADMINISTRATIVE TRIBUNAL

BANGALORE

DATED THIS THE 23RD DAY OF JUNE, 1987

Present: Hon'ble Shri Justice K.S. Puttaswamy, Vice-chairman  
and  
Hon'ble Shri L.H.A. Rego, Member (A)

CONTEMPT OF COURT APPLICATION NO. 13/87

Shri R. Santhanam,  
Major, Senior Accountant,  
O/o the Deputy Director  
of Account (Postal),  
Bangalore-1.

.... Petitioner

v.

The Deputy Director of Accounts  
(Postal), Karnataka Circle,  
General Post Office,  
Vidhana Veedhi, Bangalore-1.

.... Contemnor

(Shri M.S. Padmarajaiah, CGSSC)

This application having come-up for hearing to-day,  
Vice-Chairman made the following.

ORDER

Case called.

2. We have heard Shri R. Santanam, who is the petitioner and Shri M.S. Padmarajaiah, Senior Central Government Standing Counsel, who takes notice for the contemnor and files his memo of appearance for him.

3. In this application made under Section 17 of the Administrative Tribunals Act, 1985 ('Act'), and the Contempt of Courts Act, 1971, the petitioner has moved this Tribunal to punish the contemnor for wilful disobedience of an order made in his favour in A.No. 1631/86 (F) on 11.12.1986.



4. In the order made, this Tribunal had inter-alia directed the refund of a sum of Rs. 200/- to the petitioner earlier recovered from him. We find that the order of the Tribunal though dated 11.12.1986, was communicated to the parties, including the contemnor, only on 1.5.1987. In the order itself, this Tribunal had not specified any time-limit for refund of the amount of Rs. 200/- to the petitioner. Shri Padmarajaiah submits that the contemnor had already taken necessary action for refund and will also refund the amount specified in the order to the petitioner with all expedition and in any event within a period of two months from this day. On the facts and circumstances of the case, we cannot hold that the contemnor has wilfully disobeyed the order of this Tribunal. We are also of the view that the maximum time sought for by Shri Padmarajaiah to comply with the order is fair and reasonable. We do hope and trust that the contemnor will faithfully implement the order within the time stated before us, without giving rise to another needless proceeding under the Act. With these observations, we reject this application at the admission stage itself. But in the circumstances of the case, we direct the parties to bear their own costs.



"True copy"

SECTION OFFICER  
CENTRAL ADMINISTRATIVE TRIBUNAL  
ADDITIONAL BENCH  
BANGALORE

Mrv.

82 --  
Vice-Chairman 23/10

Member (A) 23/6/87