

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH
* * * * *

Commercial Complex (BDA)
Indiranagar
Bangalore - 560 038

Dated : 13 MAR 1989

CONTEMPT

PETITION (CIVIL)

APPLICATION NO (R)

74

/ 88

IN APPLICATION NO. 771/86(T)

W.P. NO (S)

Applicant (s)

Shri P. Vasudevan Nair

v/s

To

The Administrative Officer, Office of the Deputy
Collector of Central Excise & Customs, Mangalore
& 2 Ors

1. Shri P. Vasudevan Nair
Lakshmi Sadan
Kadaventhra
Cochin - 682 020
Kerala

4. The Additional Collector
Central Excise & Customs
Central Revenue Building
Queen's Road
Bangalore - 560 001

2. Shri M. Madhusudan
Advocate
1074-1075, Banashankari I Stage
Sreenivasa Nagar II Phase
Bangalore - 560 050

5. The Secretary
Board of Customs & Central Excise
New Delhi

3. The Administrative Officer
Office of the Deputy Collector
of Central Excise & Customs
P.V.S. Sadan, II Floor
Kodialbail
Mangalore - 575 003

6. Shri M.S. Padmarajaiah
Central Govt. Stng Counsel
High Court Building
Bangalore - 560 001

Subject : SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith a copy of ORDER/STAY/INTERIM ORDER
passed by this Tribunal in the above said C.P. (Civil) application (s) on 8-3-89.

gssed
K. M. Nair
13-3-89

ofc

DEPUTY REGISTRAR
(JUDICIAL)

Parasuramulu

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH: BANGALORE

DATED THIS THE 8TH DAY OF MARCH, 1989

PRESENT: HON'BLE SHRI JUSTICE K.S. PUTTASWAMY...VICE-CHAIRMAN
HON'BLE SHRI L.H.A. REGO ...MEMBER (A)

CONTEMPT PETITION(CIVIL) NO.74/88

1. P. Vasudevan Nair
Age: 57 years
Ex-Hon. Sub-Lieutenant
Indian Navy, now working
as Skipper, Deputy Collector
of Customs and Central Excise
Mangalore ...APPLICANT

(Shri M. Madhusudan.....Advocate)

Vs.

1. The Administrative Officer
Office of the Deputy Collector
of Central Excise & Customs
PVS Sadan, II Floor
Mangalore-3
2. The Additional Collector
Central Excise & Customs
Bangalore -1 (Rajasava Bhavan)
3. The Secretary
Board of Customs & Central
Excise, NEW DELHI

... RESPONDENTS

(Shri M.S. Padmarajaiah)

This application having come up for
hearing before this Tribunal to-day, Hon'ble Shri
Justice K.S. Puttaswamy, Vice-Chairman, made the
the following :-

O R D E R

Petitioner by Shri M. Madhusudan.

Respondents by Shri M.S. Padmarajaiah.



2. In this petition made under Section 17 of the Administrative Tribunals Act, 1985 and the Contempt of Courts Act, 1971, the petitioner has moved us to punish the respondents for non-implementation of the order made in his favour on 1.1.1987 in A.No. 771/86.

3. In pursuance of the order made by us, the respondents had earlier extended a part of the terminal benefits deferring the grant of certain other benefits due to him.

4. Shri Padmarajaiah has placed before us, the directions issued by Government and the Collector of Central Excise, Bangalore (Collector) directing the payment of all the terminal benefits due to the petitioner in terms of the order made on 1.1.1987 in A.No. 791/86. We have perused the orders made by the authorities on matters that are still outstanding. We are satisfied that the respondents have taken all necessary steps to implement our order on all aspects in letter and spirit. We have no doubt that the authorities will make payment of the amounts that are still outstanding to the petitioner with expedition. From this it follows that this contempt of court proceedings are liable to be dropped. We, therefore, drop this contempt of court proceedings. But in the circumstances of the case, we direct the parties to bear their own costs.

TRUE COPY

2. *Subba Rao*
REGISTRATION (JULY 1987)
KARNATAKA ADMINISTRATIVE TRIBUNAL
FACILITATOR

VICE-CHAIRMAN
S/13/87

Sd/-

Sd/-
MEMBER (A)A

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Commercial Complex (BDA)
Indiranagar
Bangalore - 560 038

Dated : 24 JAN 1990

CONTEMPT

PETITION (CIVIL) PRODUCTION NO (S)

79

IN APPLICATION NO. 771/86(T) & C.P. (CIVIL) NO. 74/86

89

W.P. NO (S)

Applicant (s)

Shri P. Vasudevan Nair

To

v/s

Respondent (s)

The Administrative Officer, O/o Addl Collector
of Central Excise & Customs, Mangalore & anr

1. Shri P. Vasudevan Nair
Lakshmi Sadan
Kadavanthra
Cochin - 682 020
Kerala
2. The Administrative Officer
Office of the Additional Collector
of Central Excise & Customs
P.V.S. Sadan II Floor, Kedialbail
Mangalore - 575 003
3. The Additional Collector
Central Excise & Customs
Central Revenue Building
Queen's Road
Bangalore - 560 001
4. Shri M.S. Padmarajaiah
Central Govt. Stng Counsel
High Court Building
Bangalore - 560 001

Subject : SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith a copy of ORDER/STRAK/INTERIM ORDER
C.P. (Civil)
passed by this Tribunal in the above said application(s) on 18-1-90.

Encl : As above

R.V. Venkatesh
DEPUTY REGISTRAR
(JUDICIAL)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH, BANGALORE

DATED THIS THE 18TH DAY OF JANUARY, 1990

Present: Hon'ble Shri P.Srinivasan, Member(A)
Hon'ble Shri D.Surya Rao, Member(J)

CONTEMPT PETITION (CIVIL) NO.79/89

P.Vasudevan Nair,
(Retired Skipper).
Lakshmi Sadan, Kadavanthra,
Cochin - 682 020, Kerala.

... Applicant.

Vs.

1. The Administrative Officer,
Office of the Additional Collector
of Central Excise & Customs,
Mangalore - 575 003.

2. The Additional Collector,
Central Excise & Customs,
Central Revenue Building,
Bangalore - 560 001. ... Respondents.

(Shri M.S.Padmarajaiah, Advocate)

This application having come up for hearing before
this Tribunal today, Hon'ble Shri P.Srinivasan, Member(A),
made the following:

ORDER

This petition has been set down for hearing today.

The petitioner is not present in Court in spite of more
than one call being made. We find that even on the last
2 occasions on which the case was posted, that is, on
4-12-1989 and 30-10-1989 the applicant did not appear
though notice of the hearing date was served on him.

P.S. (Signature)

2. Shri M.S.Padmarajaiah, learned Senior Central Government Standing Counsel appears for the respondents and submits that the orders of this Tribunal have been complied with and a statement of account issued to the applicant according to which the applicant is due to repay some amount paid to him in the past after settling all terminal dues payable to him.

3. The petition alleging contempt is therefore rejected and the notice issued to the respondents in this regard is discharged. Parties to bear their own costs.

Sd-

MEMBER(A) 101

Sd-

MEMBER(J)

TRUE COPY

VR.

B. Venkatesh
DEPUTY REGISTRAR (JD)
CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH
* * * * *

Commercial Complex (BDA)
Indiranagar
Bangalore - 560 038

Dated : 6 DEC 1990

REVIEW APPLICATION NO (s) 49 / 90
IN REVIEW APPLICATION NO. 23/90
W.P. NO (s)

Applicant (s)

Shri P. Vasudevan Nair
To

V/s

The Administrative Officer, O/o Deputy
Collector of Central Excise & Customs,
Mangalore & 2 Ors

Respondent (s)

1. Shri P. Vasudevan Nair
Lakshmi Sadan
Kadavathara
Cochin - 682 020
Kerala

4. The Additional Collector
Central Excise & Customs
Central Revenue Buildings
Queen's Road
Bangalore - 560 001

2. Shri G. Sukumara Menon
Advocate
Plot No. 796
Panampillynagar
Cochin - 682 015

5. The Additional Collector
Board of Customs & Central Excise
New Delhi

3. The Administrative Officer
Office of the Deputy Collector
of Central Excise & Customs
PVS Sadan, II Floor, Kodialbail
Mangalore - 575 003

6. Shri M.S. Padmarajaiah
Central Govt. Stng Counsel
High Court Building
Bangalore - 560 001

Subject : SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith a copy of ORDER/~~STAY/INTERIM ORDER~~
passed by this Tribunal in the above said application (s) on 30-11-90.

RAJ. Venkatesh
DEPUTY REGISTRAR
(JUDICIAL)

Encl : As above

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE

DATED THIS THE 30TH DAY OF NOVEMBER, 1990

Present: Hon'ble Shri P.S. Habeeb Mohamed, Member (A)
and
Hon'ble Shri A.V. Haridasan, Member (J)

REVIEW APPLICATION NO.49/1990

Shri P. Vasudevan Nair,
Aged 65 years,
Ex. Hon. Sub Lieutenant,
Indian Navy, residing at
Lakshmi Sadan, Kodavanhara,
Cochint Kerala.

.... Applicant.

(Shri Sukumara Menon, Advocate)

v.

1. The Administrative Officer,
O/o the Deputy Collector,
of Central Excise and Customs,
P.V.S. Sadan, II Floor,
Mangalore-3.
2. The Additional Collector
Central Excise & Customs,
Rajaseva Bhavan, Bangalore-1.
3. The Additional Collector,
Board of Customs & Central
Excise, New Delhi.

.... Respondents.

(Shri M.S. Padmarajaiah, C.G.S.S.C.)

This application having come up for hearing to-day, Shri A.V. Haridasan, Hon'ble Member (J), made the following:

ORDER

Heard Mr. Sukumara Menon, appearing for the applicant.

This application is filed praying for a review of the review application no.23/1990 in O.A. No.771/1986. A further review

case where a review petition has already been ordered is not permissible under the rules. Further, the original review application itself was moved in an order passed in a Contempt Application. The role of the complainant in a contempt



application ceases once he brings to the notice of the Court that an act amounting to contempt has been committed by the alleged contemner. Then it is the look out of the Court to see whether there is wilful defiance by the alleged contemner of the orders of the court and either to take action or not as the situation demands. The contempt petition was closed by this Bench finding that there was no occasion to initiate action against the alleged contemner, who are the respondents in the original application. It may be true that the grievance of the applicant in the original application has not been fully redressed. If he is dissatisfied by any orders given by the respondents, it is open for him either to challenge the order in the ^{an} original application in that behalf or to seek implementation of the order passed in O.A. No.771/86, in an appropriate proceeding in that behalf. In this view of the matter we are convinced that interest of justice does not deserve reviewing the order passed in review application no.23/1990. Hence this application is rejected. The applicant may take recourse to appropriate proceedings for redressal of his grievance.

Sd-

MEMBER (A) /

TRUE COPY

Sd-

MEMBER (J)

bsv/Mrv.

A. Venkateshwaran
DEPUTY REGISTRAR (J.D.)
6/12
CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE