

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH  
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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)

Respondent (s)

Shri P. Vasudevan Nair

V/s

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

To

1. Shri P. Vasudevan Nair  
Lakshmi Saden  
Kadavanthra  
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  
Sreenivasanagar 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. Saden, II Floor  
Kodialbail  
Mangalore - 575 003

6. Shri M.S. Padmarajiah  
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.

*9-3-89*  
*K. M. Nair*  
*13-3-89*  
*d/c*  
DEPUTY REGISTRAR  
(JUDICIAL)

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

*[Signature]*  
D. M. REGISTRAR (JULY 1987)  
CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE

sd/-  
VICE-CHAIRMAN  
*[Signature]*

sd/-  
MEMBER (A)A

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH  
\*\*\*\*\*

Commercial Complex (BDA)  
Indiranagar  
Bangalore - 560 038

Dated : 24 JAN 1990

CONTEMPT

PETITION (CIVIL) NO (S) 79

IN APPLICATION NO. 771/86(T) & C.P. (Civil) No. 74/88

W.P. NO (S)

Applicant (s)

Shri P. Vasudevan Nair  
To

Respondent (s)


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

1. Shri P. Vasudevan Nair  
Lakshmi Sada  
Kadavanthra  
Cochin - 682 020  
Kerala
2. The Administrative Officer  
Office of the Additional Collector  
of Central Excise & Customs  
P.V.S. Sada II Floor, Kodialbail  
Mangalore - 575 003
3. The Additional Collector  
Central Excise & Customs  
Central Revenue Building  
Queen's Road  
Bangalore - 560 001
4. Shri M.S. Padmarajiah  
Central Govt. Stg 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/INJUNCTION ORDER~~  
C.P. (Civil)  
passed by this Tribunal in the above said application(x) on 18-1-90.

Encl : As above

  
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:

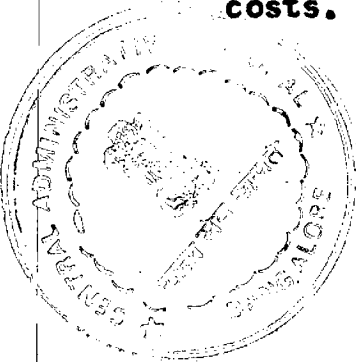
ORDER

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. Srinivasan*

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) 10/11

Sd-  
MEMBER(J)

TRUE COPY

vr.

  
DEPUTY REGISTRAR (JDL)  
CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH  
\*\*\*\*\*

Commercial Complex (BDA)  
Indiranagar  
Bangalore - 560 038

Dated : 6 DEC 1990

REVIEW APPLICATION NO (2) 49 / 90  
IN REVIEW APPLICATION NO. 23/90  
W.P. NO (S)

Applicant (s)

Respondent (s)

Shri P. Vasudevan Nair  
To

V/s

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

1. Shri P. Vasudevan Nair  
Lakshmi Sadan  
Kadavanthara  
Cochin - 682 020  
Kerala
2. Shri G. Sukumara Menon  
Advocate  
Plot No. 796  
Panampillynagar  
Cochin - 682 015
3. The Administrative Officer  
Office of the Deputy Collector  
of Central Excise & Customs  
PVS Sadan, II Floor, Kodialbail  
Mangalore - 575 003
4. The Additional Collector  
Central Excise & Customs  
Central Revenue Buildings  
Queen's Road  
Bangalore - 560 001
5. The Additional Collector  
Board of Customs & Central Excise  
New Delhi
6. Shri M.S. Padmarajaiah  
Central Govt. Sng 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~~  
Review  
passed by this Tribunal in the above said application (s) on 30-11-90.

Encl : As above

*[Signature]*  
DEPUTY REGISTRAR  
(JUDICIAL)

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE

DATED THIS THE 30TH DAY OF NOVEMBER, 1990

Present: Hon'ble Shri P.S. Habaab 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, Kodavanthara,  
Cochin 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.)

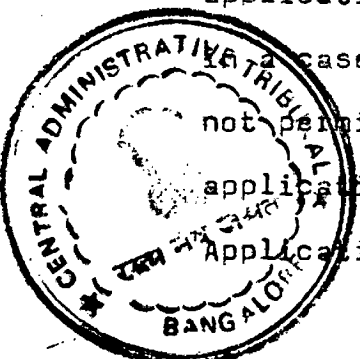
This application having come up for hearing to-day, Shri  
A.V. Haridasan, Hon'ble Member (J), made the following:

O R D E R

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

in a 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 <sup>an</sup> ~~the~~ 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 redredressal of his grievance.

sd-  
MEMBER (A) /

TRUE COPY

sd-  
MEMBER (J)

bsv/Mrv.

*[Signature]*  
DEPUTY REGISTRAR (JD)  
CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE  
6/12