

CENTRAL ADMINISTRATIVE TRIBUNAL

MUMBAI BENCH

C.P. NO.: 52/99 IN O.A. NO.: 421/93.

Dated this Friday, the 18th day of February, 2000.

CORAM : Hon'ble Shri B. N. Bahadur, Member (A).
Hon'ble Shri S. L. Jain, Member (J).

Mr. C. P. Pathan ... Applicant
(By Advocate Shri K.S. Kalappura)

VERSUS

Brigadier A. K. Singh,
Chief Engineer (Navy),
26, Assaye Buildings,
Colaba, Mumbai - 400 005. ... Respondent
Contemnor.
(By Advocate Shri R. R. Shetty
for Shri R. K. Shetty).

TRIBUNAL'S ORDER :

Heard Shri K. S. Kalappura for the applicant
and Shri R. R. Shetty for Shri R. K. Shetty, Counsel
for respondents.

2. A direction had been made on 14.01.2000 with
regard to C.P. No. 52/99 that reply to the representation
may be given by the respondents. Shri R. R. Shetty states
that a reply dated 28.01.2000 has been already sent and
this is admitted to be received by the Learned Counsel,
Shri K. S. Kalappura.

3. The point before us is simple, as to whether
the directions given in the order dated 15.10.1997 in
O.A. are complied with ? The Learned Counsel, Shri K.S.

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Kalappura argues that the implementation has not been done properly. Well ^{B.N.B.} ~~as~~ he may have a grievance against the implementation but the grievance cannot be brought up in a contempt petition. It is to be brought up properly through an O.A. The C.P. therefore cannot be entertained. Liberty is granted to the filing of an O.A. Contempt Petition No. 52/99 is hereby rejected with liberty to file a fresh O.A. Copy of reply produced in Court is taken on record. Notice discharged.

^{P.L. Jain}
(S. L. Jain)
M(J).

^{B.N. Bahadur}
(B. N. Bahadur)
M(A).

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