Central Administrative Tribunal

HYDERABAD BENCH : AT HYDERABAD

CP 38/89 in
O.A. No.648/89
~~T.A.No.~~

Date of Decision : 13.1.92

Mr. Mohd Walyuddin _____ Petitioner.

Mr C Suryanarayana _____ Advocate for the petitioner (s)

Versus

Mr PRB Kumar _____ Respondent.

Mr. N.Bhaskar Rao _____ Advocate for the Respondent (s)

CORAM :

THE HON'BLE MR. R.Balasubramanian, Member (Admn.)

THE HON'BLE MR. C.J.Roy, Member (Judl.)

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgment ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?
5. Remarks of Vice Chairman on columns 1, 2, 4
   (To be submitted to Hon'ble Vice Chairman where he is not on the Bench)

HRBS
M(A)

HCJR
M(J)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

CONTEMPT PETITION NO. 38 of 1989

IN

O.A.NO.648 of 1989

DATE OF JUDGEMENT: 13th January, 1992

BETWEEN:

Mr. Mohd. Walyuddin .. Applicant

AND

Mr. PRB Kumar,
Telecom District Engineer,
Nizamabad. .. Respondent

COUNSEL FOR THE PETITIONER: Mr. C.Suryanarayana

COUNSEL FOR THE RESPONDENT: Mr. N.Bhaskar Rao,
Addl. CGSC

CORAM:

Hon'ble Shri R.Balasubramanian, Member (Admn.)

Hon'ble Shri C.J.Roy, Member (Judl.)

JUDGMENT OF THE DIVISION BENCH DELIVERED BY THE HON'BLE SHRI C.J.ROY, MEMBER (JUDICIAL)

contd.

Copy to:-

1. Shri. P.R.B.Kumar, Telecom District Engineer, Nizamabad.
2. One copy to Shri. C.Suryanaryana, advocate, CAT, Hydbad.
3. One copy to Shri. N.Bhaskar Rao, Addl.CGSC, CAT, Hydbad.
4. One spare copy.

Rsm/-

This is a contempt petition filed by the learned counsel for the petitioner Mr. C.Suryanarayana to take action against the respondent for non-implementation of the interim orders passed on 29.9.1989 in OA 648/89. It is pertinent to note that Section 20 of the Contempt of Courts Act ~~xxxxxx~~ states that "cause of action for filing of the contempt of court application is just time barred within one year from the date of filing of the petition". It is also pertinent to note that it is not a continuous cause of action. This case is covered by a larger Bench decision reported in Full Bench Decisions at page 335 (Volume-2). Following the Larger Bench decision, this Bench decided OA 648/89 and batch cases on 27.3.1991.

2. Under these circumstances, we hold that there is no contempt involved and the contempt petition is accordingly dismissed with no order as to costs.

Shri N.Bhaskar Rao is present on behalf of the respondents and Shri C.Suryanarayana is present for the applicant.

(Dicated in the open Court)

(R.BALASUBRAMANIAN)
Member (Admn)

(C. J. ROY)
Member(Judl)

Dated: 13th January, 1992.

Dy. Registrar (Judl)

vsn