

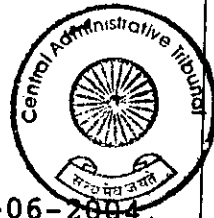
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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

Contempt Petition (Criminal) (SR) No.1403/2004

in

O.A.No.720/2002, C.P.SR.No.2862/2002 and
R.A.SR.No.1905/2003



Date of order : 30-06-2004.

A. KRISHNA KUMAR

(Applicant/petitioner in CP.Sr.No.2862/02 and
OA.No.720/2002)

R/o Flat No.15, Jayanthi Apartments,
H.No.22-161, St.No.2, Cross-I,
R.K.Nagar, Malkajgiri,
Hyderabad-47.

.. Petitioner.

Versus

1. Sr. D.B.K.Reddy, J.C.D.A.,
(Deponent of the Reply-affidavit in OA.720/02),
C/o the C.G.D.A. West Block-V, Ramakrishnapuram,
New Delhi.
2. Sri A.Tata Rao, Deputy Registrar (Judicial)
(in connection with his refusal to register the
C.P.SR.No.2862/02 and R.A.SR.No.1905/03 and
the "Office notes" put up therein by him)
C/o The Registrar, Central Administrative Tribunal,
Hyderabad Bench, Hyderabad.

.. Respondents/
Contemnors.

petitioner is not entitled to contend that the 2nd respondent has misled the Tribunal by putting up misleading note. Thus, no case is made out to initiate action for criminal contempt against both the respondents. Apart from this fact, this petition is not maintainable since the applicant has not obtained the consent of the Attorney General or the Solicitor General or the Additional Solicitor General as required under the mandatory provisions of Rule 5(ii) of Central Administrative Tribunal (Contempt of Courts) Rules, 1992. Further, it appears that the petitioner was under a mistaken impression that this Tribunal has no powers to initiate contempt proceedings. It is made clear by the Supreme Court in a decision reported in (2001) 1 SCC 516 in the case of "T.Sudhakar Prasad Vs. Government of A.P." that the Central Administrative Tribunal has powers relating to contempt. Section 17 of the Administrative Tribunals Act makes it clear that the Tribunal shall have, and exercise the same jurisdiction, powers and authority in respect of contempt of itself as a High Court has and may exercise and, for this purpose, the provisions of the Contempt of Courts Act, 1971 (70 of 1971), shall have effect subject to the modifications mentioned in clauses (a) and (b). For the above reasons this petition is rejected, *as not maintainable*.

प्रमाणित प्रतिलिपि
CERTIFIED TRUE COPY

केस संख्या CP(C.A.) 52 NO 1403/04
CASE NUMBER
निर्णय का तारीख 30.6.04
DATE OF JUDGEMENT
प्रति तैयार किया गया दिन 19.8.04
COPY MADE READY ON

अनुभाग अधिकारी / न्यायालय अधिकारी
Section Officer / Court Officer
केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
हैदराबाद बेंच / Hyderabad Bench

Sd/-
Justice K.R. PRASADA RAO
Hon'ble Vice-Chairman
Central Administrative Tribunal
Hyderabad Bench, Hyderabad
Dt. 30th June, 2004.