

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
JAIPUR BENCH, JAIPUR

Date of order: 22-1-1996

CP No. 111/94 in CA No. 350/94

Madhuri Joshi

Petitioner

VERSUS

Mr. Gautam Gupta and Anr.

Respondents

Mr. K.L.Thawani, Counsel for the Petitioner

Mr. U.D.Sharma, Counsel for the Respondents

CORAM:

HON'BLE MR. U.K.VERMA, MEMBER (A)

HON'BLE MR. RATTAN PRAKASH, MEMBER (J)

PER HON'BLE MR. U.K.VERMA

Heard Shri K.L.Thawani and Shri U.D.Sharma,
Counsel for the parties.

2. Shri Thawani tried to impress upon us that there was a wilful disobedience and delay in carrying out the Tribunal's order in regard to the promotion of the petitioner. The promotion order was issued only after filing this C.P. Shri U.D.Sharma submitted that the D.P.C. proceedings were held earlier to filing this C.P. and efforts were made to comply with the orders of the Tribunal. However, all the procedural formalities took longer period than the period stipulated by the Tribunal. In any case the petitioner has been paid full dues and also given promotion.

3. Shri Thawani brought to our notice that the orders were issued by the Tribunal on 24-10-94 and

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though a copy of the same was delivered to the Respondents on 2-12-94, the applicant was transferred in a lower post immediately thereafter and again in February, 95. He, therefore, insisted that the respondents should be taken to task for this wilful contempt by not carrying out the Tribunal's order.

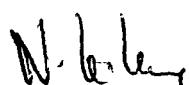
4. Having heard both the sides, we find that there were some delay in complying with the Tribunal's order to the satisfaction of the applicant. However, linked with the procedural difficulties, the respondents should have complied with the Tribunal's order within the stipulated time or sought further extension for compliance action to be completed. Since it was not done, the respondents are responsible for the disobedience of the court's order but the case for wilful disobedience could not be made out. We, therefore, dismiss this Contempt Petition with the observation that in future the respondents must carry out the order of the Tribunal within the stipulated period and in case there is any difficulty in carrying out the order, they may take further extension from the Tribunal. The notice of contempt is hereby discharged.



(Rattan Prakash)

Member (Judl.)

cvr.



(N.K.Verma)

Member (Admv.)