

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

C.P.No.4/97 (199/96)

Date of order:01.10.1999

Bheru Lal S/o Shri Nanak Gee aged about 70 years, resident of Badi Sadri, Chittorgarh.

...Petitioner

Vs.

Shri N.P.Singh, Divisional Railway Manager, Division Office, Ajmer.

...Respondent.

Mr.Suresh Goyal, counsel for the Petitioner

Mr.U.D.Sharma, counsel for the respondent

CORAM:

Hon'ble Mr.S.K.Agarwal, Judicial Member.

Hon'ble Mr. N.P.Nawani, Administrative Member

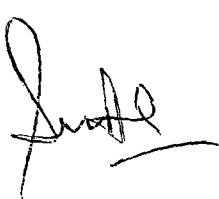
ORDER

Per Hon'ble Mr. S.K.Agarwal, Judicial Member

In this Contempt Petition filed under Section 17 of the Administrative Tribunals Act, arising out of order dated 4.4.96 in OA No. 199/96, the petitioner makes a prayer to initiate contempt proceedings against the respondent and punish him accordingly. The order passed by this Tribunal in OA No. 199/96 on 4.4.96 is as under:

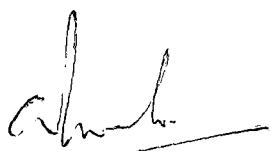
"In the circumstances of the case, we direct respondent No.3 to decide the aforesaid representation/notice for demand of justice dated 15.4.95, at Ann.A-6, in the light of the Office Order Ann.A-4 dated 10.5.94/10.6.94 within a period of one month from the date of receipt of a copy of this order."

2. Admittedly, the petitioner has filed this Contempt Petition against Shri N.P.Singh, Divisional Railway Manager, Ajmer against whom no direction was given in this OA No. 199/96. On perusal of reply, it also appears that compliance of the order passed by this Tribunal has



already been made. No doubt, the compliance might have been delayed but delay alone is not the factor responsible to take action in the Contempt Petition. Disobedience of the Tribunal's order amounts to contempt only when it is intentional. In this case the compliance of the order of this Tribunal has already been made and we do not find any ground by which the non-petitioner may be punished.

3. We, therefore, dismiss this Contempt Petition and notice issued against the opposite party is hereby discharged.



(N.P.NAWANI)

Adm. Member



(S.K.AGARWAL)

Judl Member