

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR**

(U)

ORDER SHEET

ORDERS OF THE TRIBUNAL

29.02.2012

CP 10/2012 (OA No.387/2000) with MA 43/2012

Mr. Kamlesh Sharma, Proxy counsel for
Mr. Mahendra Shah, Counsel for applicant.

The present Contempt Petition has been filed by the applicant as the respondents have not complied with the order dated 28.07.2003 passed in OA No. 387/2000. This Contempt Petition has been filed by the applicant after a lapse of more than 10 years.

The respondents have preferred a DB Civil Writ Petition No. 6467/2003 and the same was decided vide order dated 29.10.2009 by which the order passed by this Tribunal has been affirmed. Thereafter the respondents filed a SLP No. 25733/2010 and the same has been dismissed by the Hon'ble Supreme Court vide order dated 12.07.2011. Admittedly this present Contempt Petition has been filed after an inordinate delay.

The applicant has filed an MA seeking condonation of delay in filing the Contempt Petition. We have carefully perused the averments made in the MA. It is not disputed that the order passed in the OA by this Tribunal is dated 28.07.2003 and the same was upheld vide Hon'ble High Court's order dated 29.10.2009 and further by the Hon'ble Supreme Court vide order dated 12.07.2011. The applicant could not have filed the Contempt Petition even before the Hon'ble High Court/Hon'ble Supreme Court/this Tribunal well within time. We are not satisfied with the reasons for the delay given by the applicant in the MA. Therefore, the MA is bereft of merit and is dismissed accordingly.

Since the Contempt Petition is not filed well within time, the present Contempt Petition also stands dismissed being filed after an inordinate delay.

Anil Kumar

(Anil Kumar)
Member (A)

K. S. Rathore
(Justice K.S.Rathore)
Member (J)

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