IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

* * *

Date of Decision: 23.4.96.

CP 161/95 (OA 537/89)

M.V. Balasundara   ... Petitioner

                    Versus

Shri S.Gopalan and Others   ... Respondents

CORAM:

    HON'BLE MR. GOPAL KRISHNA, VICE CHAIRMAN

    HON'BLE MR. O.P. SHARMA, MEMBER (A)

For the Petitioner   ... Self

For Respondents No.1 and 3   ... Mr. U.D. Sharma

For respondent No.2   ... None

O R D E R

PER HON'BLE MR. GOPAL KRISHNA, VICE CHAIRMAN

In this petition u/s 17 of the Administrative Tribunals Act, 1985, the petitioner has alleged contempt of the Tribunal for non-implementation of its directions in OA 537/89, decided on 18.1.94.

2.   We have heard the petitioner and the learned counsel for respondents No.1 and 3 and have perused the records.   None is present for respondent No.2.

3.   The petitioner has stated before us that the directions given by the Tribunal in regard to payment of interest on the delayed payment of dearness relief on pension has already been implemented.   The counsel for respondents No.1 and 3 has stated that the petitioner is liable to pay exemplary costs for vexatious impleadment of respondents No.1 and 3 in these contempt proceedings since these respondents, namely respondents No.1 and 3, were neither concerned with the implementation of the directions of the Tribunal nor were they made respondents in the Original Application. It was also urged that no directions were issued by the Tribunal for impleading these two as parties in this petition.   No direction was issued to them for complying with the directions of the Tribunal in the aforesaid OA.   In the circumstances, we are of the view that the petitioner has unnecessarily impleaded respondents No.1 and 3 as parties to the Contempt Petition.   The petitioner tenders unconditional apology for impleading respondents No.1 and 3.

4.   In the circumstances, the Contempt Petition is, therefore, dismissed. Notices issued are discharged.   No order as to costs.

(O.P. SHARMA)   (GOPAL KRISHNA)
  MEMBER (A)   VICE CHAIRMAN

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