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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

Date of Order: 28.1.2000

CP 168/95 ~~XXX~~
(TA 28/92)

Madan Gopal Vyas s/o Shri Hari Narain Vyas, r/o Palace Road,
Indergarh, Distt. Bundi.

... Petitioner

V/s.

1. Shri M.Kirtiwasan, General Manager, Western Railway,
Churchgate, Mumbai.
2. Shri T.K.Vishwash, Divisional Manager, Western Railway, Kota.

... Respondents

CORAM:

HON'BLE MR.S.K.AGARWAL, JUDICIAL MEMBER
HON'BLE MR.N.P.NAWANI, ADM.~~EM~~ MEMBER

For the Petitioner

... Mr.Anurag Kulsrestha, proxy counse
for Mr.Virendra Lodha

For the Respondents

... Mr.Anupam Agarwal, proxy counsel f
Mr.Manish Bhandari

O R D E R


(PER HON'BLE MR.S.K.AGARWAL, JUDICIAL MEMBER)


This Contempt Petition filed u/s 17 of the Administrative
Tribunals Act has arisen out of an order dated 14.1.94 passed
in TA 28/92 (73/87).

2. It is stated by the petitioner that the opposite party
did not comply with the orders passed by this Tribunal deliberate
and wilfully. Therefore, prayer has been made to initiate
contempt proceedings against the opposite party.

3. Reply to show-cause was filed and in the reply it has been
made clear that the order of this Tribunal has already been
complied with by making the necessary payment to the petitioner.
Details of payment have also been given in the reply. No
rejoinder to the reply was filed.

4. Disobedience of this Tribunal's order amounts contempt
only when non-compliance of the Tribunal's order is deliberate
and wilful. The petitioner fails to establish any wilful and
deliberate disobedience on the part of the respondents, rather
the respondents in the reply have made it clear that the order
of this Tribunal has been complied with and all payments have
been made. Therefore, we find no merit in this Contempt Petition.
We, therefore, dismiss this Contempt Petition and notices issued
to the opposite party are hereby discharged.


(N.P.NAWANI)
MEMBER (A)


(S.K.AGARWAL)
MEMBER (J)