

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH,

JAIPUR

Date of decision- 15-11-1995

CP No. 132/95 (OA 765/92)

Roshan Lal Gupta

.. Petitioner

VERSUS

V.P.Smbrani, Chief Personnel Officer, Churchgate, Bombay

.. Respondent

CORAM:

HON' BLE MR. GOPAL KRISHNA, VICE CHAIRMAN

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

For the Petitioner

.. Mr. S.Kumar

For the Respondents

.. Mr. M.Bhandari

ORDER

PER HON' BLE MR. GOPAL KRISHNA, VICE CHAIRMAN

Petitioner Roshan Lal Gupta has filed this Contempt Petition under section 17 of the Administrative Tribunals Act, 1985, alleging therein that the respondent by not deciding the appeal, have committed contempt of court.

2. We have heard the petitioner and the learned counsel for the respondent and have gone through the records.

3. The learned counsel for the respondent has delivered to the petitioner a copy of the order passed by the Appellate Authority i.e. the respondent on the appeal made to him by the petitioner in the month of January, 1995, as stated by the petitioner. The petitioner contended that since the Appellate Authority failed to decide the appeal within a period of 3 months from the date of receipt of the memo of appeal by him, he wilfully disobeyed the direction of the Tribunal and has committed contempt. The learned counsel for the respondent submits that the delay in disposing of the appeal was due to the reason that the

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petitioner persistently sought an opportunity of personal hearing and the petitioner had to be given an opportunity of personal hearing. The delay in disposing of the appeal is also regretted by the learned counsel for the respondent and he states that if there was any delay, the same was neither wilful nor was it intentional.

4. No contempt is therefore, made out. The Contempt Petition is dismissed.

(O.P. Sharma)
Member (A)

C. Krishna
(Gopal Krishna)
Vice-Chairman