

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

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Date of Order: 05.12.97

CP 67/96 with MA 530/96 in OA 132/91

Surendra Kumar s/o Shri Babulal c/o Smt. Lashoda Devi, H.No.423, Jwala Prasad Nagar, UIT Colony, Sector-I, Madar, Ajmer.

... Petitioner

Versus

D.R.Sharma, Divisional Railway Manager, Western Railway, Jaipur.

... Respondent

CORAM:

HON'BLE MR.GOPAL KRISHNA, VICE CHAIRMAN

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

For the Petitioners

... Mr.K.Kamal Singh

For the Respondent

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PER-HON'BLE MR.GOPAL KRISHNA, -VICE-CHAIRMAN

Petitioner, Surendra Kumar, has filed this Contempt Petition u/s 17 of the Administrative Tribunals Act, 1995, stating therein that the respondent, by not complying with the directions of the Tribunal in OA 182/91, decided on 7.10.94, has committed contempt of court.

2. We have heard the learned counsel for the petitioner and have carefully gone through the records of the case.

3. The contention of the petitioner is that he came to know about the non-implementation of the directions of the Tribunal on 8.5.95, therefore, he could not approach this Tribunal earlier. The petitioner was applicant in the aforesaid OA, which was decided on 7.10.94. He should have filed the Contempt Petition within the time prescribed by Section 20 of the Contempt of Courts Act. Applicant Har Govind, who had also filed the aforesaid OA alongwith the present petitioner, had sought the implementation of the directions contained in the aforesaid decision dated 7.10.94 and the benefits were extended to him in terms of the directions of this Tribunal. The petitioner having failed to seek implementation within the time prescribed by Section 20 of the Contempt of Courts Act, now cannot file the present Contempt petition for the aforesaid purpose since this Contempt Petition is barred by limitation. MA 530/95, for condonation of delay in filing the Contempt Petition, is not maintainable on merits. The Contempt Petition and the Misc. Application both are, therefore, dismissed.

(O.P.SHARMA)
ADM. MEMBER

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Gopal Krishna
(GOPAL KRISHNA)
VICE CHAIRMAN