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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH,

JAIPUR

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CP No.52/1996 (QA No.226/95) Date of order: 9-2-1998

Lt.Col. Mahaveer Singh Nathawat at present posted as  
Joint Director, Training, NCC Directorate, Rajasthan,  
Jaipur.

.. Petitioner

Versus

1. T.K.Banerjee, Secretary, Ministry of Defence,  
Government of India, South Block, New Delhi.
2. Lt. General R.Mohan, PVSM AVSM VSM, Director  
General, NCC, West Block - IV, R.K.Puram,  
New Delhi.

.. Respondents

None present for the petitioner

Mr. S.S.Hasan, counsel for the respondents

CORAM:

Hon'ble Mr. O.P.Sharma, Administrative Member

Hon'ble Mr. Ratan Prakash, Judicial Member

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Per Hon'ble Mr. O.P.Sharma, Administrative Member

In this Contempt Petition, petitioner,  
Lt.Col. Mahaveer Singh Nathawat has prayed that the  
respondents may be directed to comply with the order  
of the Tribunal dated 3.4.1996 passed in QA No.226/95,  
Lt. Col. Mahaveer Singh Nathawat Vs. Union of India  
and Ors. and strict action may be taken against them  
for non-compliance with the order of the Tribunal.

2. We have heard the learned counsel for the  
respondents. None is present on behalf of the petitioner  
even when the case was called out in the second round.

3. The learned counsel for the respondents

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have produced before us a copy of the judgment of the Hon'ble Supreme Court dated 7th November, 1997 passed in Civil Appeal No.1605/97, arising out of SLP Civil No.24188 of 1996, Union of India and Ors. Vs. Mahaveer Singh Nathawat. The appeal decided by the Hon'ble Supreme Court was against the order passed by the Tribunal on 3-4-1996 in the aforesaid OA. By this judgment, the Hon'ble Supreme Court has allowed the appeal and set-aside the order of the Tribunal.

4. In these circumstances, now there remains no order of the Tribunal to be implemented by the respondents. The Contempt Petition has since become infructuous. It is dismissed. Notices issued are discharged. A copy of the judgment of the Hon'ble Supreme Court, referred to hereinabove, is taken on record.



(Ratan Prakash)  
Judicial Member



(O.P.Sharma)  
Administrative Member