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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR

CP No. 34/97 (OA No. 472/97)

Date of Order: 23.9.99

M.K. Talwar S/o Shri V.P. Talwar, aged about 35 years, resident of 1-Cha-12, Vaishali Nagar, Ajmer, Presently working as Sr. Inspector of Stores Accounts, Office of Dy. Financial Advisor & Chief Accounts Officer, Survey & Construction, Western Railway, Ajmer.

....Petitioner

Versus

1. Shri B.D. Gupta, General Manager, Western Railway Church Gate, Mumbai.
2. Shri S.N. Trivedi, Financial Advisor & Chief Accounts Officer, Western Railway, Church gate, Mumbai.
3. Shri S.K. Shankhala, Senior Accounts Officer, Survey & Construction, Western Railway, Ajmer.

....Respondents

None present for the Petitioner

Mr. U.D. Sharma, Counsel for the respondents.

CORAM

Hon'ble Mr. S.K. Agarwal, Judicial Member

Hon'ble Mr. N.P. Nawani, Administrative Member

O R D E R

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

This is a Contempt Petition u/s 17 of the Administrative Tribunal's Act, 1985, arising out of an order passed on 22.10.97 in OA No. 472/97. It is stated by the Petitioner that the opposite party did not obey the order intentionally. Therefore, they should be punished for contempt.

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2. In order dated 22.10.97, directions were given as follows:-


"Meanwhile the operation of the impugned order dated 8.10.97 at Annexure A-1, qua the applicant, is stayed till the next date in case the applicant has not already been relieved so far from the post of Senior Inspector of Stores Accounts in the Office of the Deputy Financial Advisor and Chief Accounts Officer, Survey and Construction, Western Railway at Ajmer."

3. A Show cause notice was given and reply was also filed. It is stated by the opposite party in the reply that respondent no. 1 had received the copy of the order dated 22.10.97 on 11.11.97, respondent no. 2 received the copy of the order on 3.11.97 and respondent no. 3 received the copy of the order on 23.10.97. But the applicant was already relieved on 21.10.97 and he subsequently joined on the transferred post.

4. No case of contempt is made out against the respondents. We have given thoughtful consideration to the reply filed by the opposite party and also perused the petition filed by the petitioner.

5. We are of the opinion that no case of contempt is made out against the opposite party. Therefore, we dismiss this Contempt Petition. Notices issued against the opposite party are discharged.


(N.P. NAWANI)
MEMBER (A)


(S.K. AGARWAL)
MEMBER (J)