

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR

Date of order: 25/5/2001

CP No.19/2000 (OA No.572/99)

Hajra Zaib w/o Shri Nasim Zaib r/o 3978, Jagannath Shah Ka Rasta,
Ranjanj Bazar, Jaipur.

.. Petitioner

Versus

1. Shri Y.N.Chaturvedi, Secretary to the Govt. of India,
M/o Information and Broadcasting, New Delhi.
2. Shri Rajiv Ratan Shah, Director General, Doordarshan
Kendras, Mandi House, New Delhi.
3. Shri Rati Ram, Director, Doordarshan Kendra, Television
Centre, Jhalana Doongri, Jaipur.

.. Respondents

Mr. Prahlad Singh counsel for the petitioner

Mr. D.K.Swamy proxy counsel to Mr. Bhanwar Bagri, counsel for Govt. of
India

CORAM:

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

Hon'ble Mr. A.P.Nagrath, Administrative Member

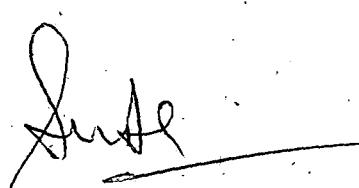
ORDER

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

This Contempt Petition has arisen out of an order dated
31.3.2000 passed in OA No.572/99.

2. This Tribunal vide order dated 31.3.2000 in OA No.572/99
passed the following order:-

"In these circumstances, we feel it just and proper to
direct the respondents to re-start casual assignments to
the applicant w.e.f. April, 2000 as per the prevailing
practice till further orders."

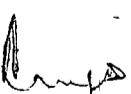


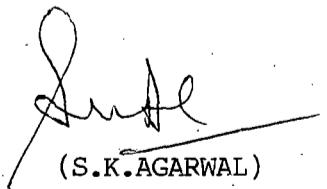
3. It is stated by the petitioner that opposite parties have wilfully and deliberately disobeyed the orders passed by this Tribunal by not giving casual bookings/assignments to the petitioner in compliance of the order of this Tribunal. Therefore, they should be punished for contempt.

4. Heard the learned counsel for the parties.

5. Disobedience of Court/Tribunal's order amounts to contempt only when it is deliberate and wilful. Merely the order was not complied with in time or the order was not complied with at all is not sufficient to hold the opposite parties guilty for contempt. It is the duty of the petitioner to establish that disobedience of this Tribunal's order was deliberate and wilful. In the instant case, on perusal of the order dated 27.4.2000 (Ann.4) issued by Shri L.C.Sharma, Senior Administrative Officer, Prasad Bharti, Doordarshan Kendra, Jaipur, it appears that in compliance of the interim order of this Tribunal, the petitioner was engaged as Casual Production Assistant on 27th and 28th April, 2000. The contention of the petitioner that he should have been given atleast 10 bookings is not sufficient to hold that there was a deliberate and wilful disobedience on the part of the opposite parties. We, therefore, do not feel it proper to take cognisance for initiation of contempt proceedings against the opposite parties.

6. We, therefore, dismiss this Contempt Petition having no merits.


(A.P. NAGRATH)
Adm. Member


(S.K. AGARWAL)
Judl. Member