

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

C.P.No.23/2000

Date of order: 17.7.2000

Ashok Kumar Mathur, Head Clerk, O/o Asstt. Controller of Stores
(Diesel) W.Rly, Abu Road, Rajasthan.

...Applicant.

Vs.

1. V.D.Gupta, General Manager, W.Rly, Churchgate, Mumbai.
- . Shri Harish Gupta, Dy. Controller of Stores, W.Rly, Ajmer.

...Respondents.

Mr.P.P.Mathur - Counsel for applicant

Mr.U.D.Sharma - Counsel for respondents.

CORAM:

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

Hon'ble Mr.S.Bapu, Administrative Member.

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

The counsel for the respondents submits that the representation of the applicant has already been decided vide order dated 15.7.2000 and the same will be delivered to the opposite party.

2. This contempt petition was moved by the petitioner on the ground that representation dated 21.10.95 for which directions were given vide order dated 17.1.2000 have not been disposed of by the opposite party wilfully and deliberately.

3. After filing this contempt petition, notices were issued and Mr.U.D.Sharma, appeared on behalf of the respondents and filed a copy of the order passed on representation dated 21.10.95 on 15.7.2000.

4. Disobedience of Court/Tribunal's order becomes contemptuous only when it is deliberate and wilful. Merely the order was not complied with within the time stipulated does not hold the opposite party liable for contempt proceedings ~~in almost all cases only~~ ^{unless} it is established that it is deliberate and wilful.

5. In view of the order passed on 15.7.2000, we are of the opinion that the directions of the Tribunal given on 17.1.2000 have been complied with and no case of contempt is made out against the opposite party. We, therefore, dismiss the Contempt Petition and notices issued against the opposite parties are discharged.

(S.Bapu)

Member (A).

(S.K.Agarwal)

Member (J).