

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR

Date of order: 25.09.2000

CP No.28/2000 (OA No.348/1995)

Nain Singh S/o Shri Ganesh Singhji, at present employed on the post of Welder under Bridge Inspector, Ajmer Division, Ajmer.

.. Petitioner

Versus

Shri Shashi Kant, Divisional Railway Manager, Western Railway, Ajmer Division, Ajmer.

.. Respondent

Mr. C.B.Sharma, proxy counsel to Mr. Shiv Kumar, counsel for the petitioner

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

CORAM:

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

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

Order

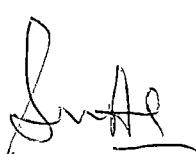
Per Hon'ble Mr. S.K.Agarwal, Judicial Member

Shri S.S.Hasan, who appeared on behalf of the opposite party submits a copy of the order dated 21.9.2000 by which it is stated by the opposite party that the order passed by this Tribunal has been complied with.

2. Heard the learned counsel for the parties.

3. This Contempt Petition has arisen out of an order passed by this Tribunal on 15.12.1999 in Narain Singh v. Union of India and ors. By order dated 15.12.1999, following directions were given:

"We, therefore, allow this O.A. and quash the impugned order of reversion dated 3.5.95. This order does not precluded the departmental authorities to proceed against the applicant



Further and pass proper order after giving notice/opportunity of hearing to the applicant."

4. It is stated by the learned counsel for the petitioner that the opposite party has wilfully and deliberately disobeyed the order of this Tribunal and thereby committed contempt. He, therefore, seeks to initiate contempt proceedings against the opposite party.

5. Disobedience of this Tribunal's order amounts to contempt only when the in-action of the respondents is deliberate and wilful. In the present case, as per the order dated 21.9.2000, it is alleged by the learned counsel for the opposite party, Shri S.S. Hasan, that the order passed by this Tribunal has already been complied with.

6. In our considered opinion, no case of contempt could be established against the opposite party.

7. Therefore, this Contempt Petition is dismissed and notice issued against the opposite party is hereby discharged.


(N.P. NAWANI)

Adm. Member


(S.K. AGARWAL)

Judl. Member