

CP No.22/2005 in OA No.490/2002.

17.08.2006.

Mr. P. N. Jatti counsel for the applicant.

Mr. Tej Prakash Sharma counsel for the respondents.

In this case notice(s) on CP were issued on 17.05.2005. When the reply was not filed even a lapse of about one year, vide order dated 31.5.2006, this Tribunal made the following observations :-

" It is observed that while OA No.490/02 was disposed of on 21.12.2004 with certain directions and respondents have filed Writ Petition No.1016/05 against Tribunals orders no stay orders have yet been obtained from the Hon'ble High Court. A period of more than one year and 4 months has elapsed since Tribunals orders were passed. In result, respondents are given last opportunity to either bring stay orders against Tribunals orders or to implement the directions of this Tribunal by 17.7.2006. CC be made available to the learned counsel for the respondents."

Today, Learned Counsel for the respondents has made oral submission for two weeks time to file reply. It is further stated that the case has been listed before the Hon'ble High Court on 18.08.2006. It may be noticed that this order was passed on 31.5.2006. The contemnners were already aware about the contents of order passed by this tribunal on 31.5.2006. Despite that, the respondents have not filed any reply, even no application has been moved for extension of time to explain the circumstances why the order dated 31.5.2006 could not be complied with. Thus, we are of the firm view that the respondents are prima facie guilty of contempt. Mere filing of writ petition in the Hon'ble High Court will not absolve the respondents from contempt proceeding especially when no stay has been granted by the Hon'ble High Court. At this stage, reference may be made to decision of the Hon'ble High

THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR
ORDER SHEET



APPLICATION NO.: _____

Applicant(s)

Respondent (s)

Advocate for Applicant (s)

Advocate for Respondent (s)

NOTES OF THE REGISTRY	ORDERS OF THE TRIBUNAL
	<p>Court of Himachal Pradesh in the case of <u>Hans Raj Dhir vs. State of HP</u> 1985 Cr. L. J. 1030. In this case OA was disposed of on 21.12.2004 and notices on Contempt Petition were sent by this Tribunal on 17.5.2005. Still the respondents have not filed any reply. This fact itself shows how serious the contemner(s) are about the order passed by this Tribunal. Under these circumstances, we have no option but to direct the respondent to personally appear before this Tribunal on the next date of hearing, in order to, explain the circumstances why the Original order dated 21.12.2004 as well as direction given by this Tribunal on 31.5.2006 has not been complied with till date and what steps they have taken, in order to, implement the direction given by this tribunal. Ordered accordingly. List on 7.9.2006.</p> <div><div> (J. P. SHUKLA) ADMINISTRATIVE MEMBER</div><div> (M. L. CHAUHAN) JUDICIAL MEMBER</div></div>