

01.12.2009

CP 24/2009 (OA No. 465/2008)

None present for applicant.
Mr. Hemant Mathur, Counsel for respondents.

Heard learned counsel for the parties.

For the reasons dictated separately, the OA is disposed of.

(B.L. KHATRI)
MEMBER(A)

AHQ

(M.L. CHAUHAN)
MEMBER (J)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH

Jaipur, this the 01st day of December, 2009

CONTEMPT PETITION NO. 24/2009
IN
ORIGINAL APPLICATION NO. 465/2008

CORAM:

HON'BLE MR. M.L. CHAUHAN, JUDICIAL MEMBER
HON'BLE MR. B.L. KHATRI, ADMINISTRATIVE MEMBER

K.P. Singh son of Shri B.B. Singh, aged about 40 years, resident of V/1, Central Revenue Colony, Jyoti Nagar, Jaipur. Presently working as Joint Commissioner, Central Excise Commissionerate, Jaipur -I (Rajasthan).

.....APPLICANT

(By Advocate: None)

VERSUS

1. Shri P.V. Bhide, Secretary (Revenue), Department of Revenue, Ministry of Finance, North Block, New Delhi.
2. Shri P.C. Jha, Chairman, Central Board of Excise and Customs, Department of Revenue, Ministry of Finance, North Block, New Delhi.

.....RESPONDENTS

(By Advocate : Mr. Hemant Mathur)

ORDER (ORAL)

The applicant has filed this Contempt Petition against the alleged violation of the order dated 23.04.2009 passed in OA No. 465/2008.

2. Notice of this Contempt Petition was given to the respondents. Learned counsel for the respondents has placed on record the order dated 05.10.2009 passed by the Jaipur Bench of the Hon'ble High Court in DB Civil Writ Petition No. 10475/2009, Union of India vs. K.P. Singh, whereby the operation of the impugned order passed by this Tribunal dated 23.04.2009 in OA No. 465/2008 has been stayed.

3. In view of this development, we are of the view that the present Contempt Petition does not survives. Accordingly, the same is disposed of. It is, however, made clear that in case the stay is vacated by the Hon'ble High Court or the Writ Petition filed by the Department is dismissed, in that eventuality, it will be open for the petitioner to file fresh Contempt Petition.

4. With these observations, the Contempt Petition is dismissed. Notices issued to the respondents are hereby discharged.


(B.L. KHATRI)
MEMBER (A)


(M.L. CHAUHAN)
MEMBER (J)

AHQ