

## FORM NO. 4

(See Rule 42)

## In The Central Administrative Tribunal

GUWAHATI BENCH : GUWAHATI

ORDER SHEET  
APPLICATION NO.Cp. 19  
OA 87 /95  
OF 1998

Applicant(s) Sri J. Das

-vs-

Respondent(s) Shri K. padmanavam.

Advocate for Applicant(s) Mr. B.K. Sharma

Mr. M.K. Choudhury

Mr. S. Swami

Advocate for Respondent(s)

Notes of the Registry	Date	Order of the Tribunal
This Cp. is registered Vide order dated - 25.6.98 passed in OA 87/95. against the Shri K. padmanavam, Chief General Manager, Assam Telecom Circle, Guwahati.	16-7-98	On the prayer of counsel for the parties case is adjourned till 30-10-98 for hearing.  Member
2nd for favor of orders.	1m 30.10.98	The alleged contemner is not present today. Mr G. Sarma, learned Addl. C.G.S.C. prays for two weeks adjournment for personal appearance of the alleged contemner. Prayer allowed. List it on 24.11.98.
24.11.98 Registers 30.6	nkm 24.11.98	Member  The alleged contemner Sri K. Padma- navan is personally present before this Tribunal. Reply to the show cause has also been filed. We are satisfied that

contd.

Notes of the Registry	Date	Order of the Tribunal
<u>30.6.98</u> <u>Notice of Contempt</u> issued to the Chief General Manager and receipted copy of contempt notice by hand on 2.7.98.	24.11.98	he has no intention to disobey the order. In his reply he has stated that he possesses high respect to the Tribunal and because his misfortune situation turns that way. Considering his reply we feel that no purpose will be served by proceeding with the contempt peti- tion. Accordingly the contempt petition is closed.
<u>202</u>  1) Service reports are still awaited.  <u>23/11</u>		<u>6a</u> Member pg <u>25/11</u>
Show cause filed on behalf of the Contemners. copy of the same not yet served.  <u>23/11</u>  <u>26/11/98</u> copies of the order have been sent to the D/Sec. for issuing the same to the parties through <del>regd.</del> Regd. with affd.  <u>26</u>		

23.11.98

Recd by  
J. Goloi  
23/11/98

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH



In the matter of :

C.P. No. 19/98

O.A. No. 87/98

J. Das ... Applicant

-Vs-

K. Padmanabhan ... Alleged Contemner.

-AND-

In the matter of :

Causes shown by the alleged  
contemner.

The alleged contemner named above

MOST RESPECTFULLY SHEWETH :-

1. That your humble alleged contemner is in  
receipt of notice directing him to appear in person  
today D.P. 24.11.98.

2. That your humble alleged contemner is not  
guilty of contempt of Court at all.

3. That your humble alleged contemner as head of  
Assam Telecom Circle has exhausted all means possible  
to find out the records of the case in original in  
O.A. No. 87/95.

Contd....2/-

K. Padmanabhan

4. That your humble alleged contemner begs to state that an official of circle office conversant with the case was deputed to TDM/Dibrugarh and TDM/Jorhat office on 1.7.98 to discover and collect the official records connecting with the Departmental Confirmation Examinations held during 1960-66. Inspite of vigourous search at both offices the required records could not be traced.

5. That your humble alleged contemner beg; to state that the Asstt. Director Telecom(Legal) Circle Office personally visited the office of the Chief General Manager Telecom, Shillong and conducted a search operation to locate the required records but failed to trace out the records.

6. That in such a situation there are no materials of committing offence of contempt of Court and same may kindly be dropped.

7. That inspite of the position explained above, if this Hon'ble is satisfied to hold that offence has been committed, the alleged contemner seeks for unconditional apology and same may be granted.

8. That the alleged contemner possesses highest respect towards judiciary and it is his misfortune to receive a notice of contempt from this Hon'ble Tribunal.

Contd.....3/-

L. Postman Aya

9. That this is a fit case where the contempt proceeding may be closed.
10. That causes are shown bonafide and in the interest of justice.

#### VERIFICATION

I, Shri K. Padmanabhan, son of S. KRISHNA SWAMY aged 54 years, presently ~~Chief~~ General Manager <sup>Alleged</sup> Telecom. Kerala Circle do hereby solemnly affirm and declare as follows :-

1. That I am the alleged contemner in this contempt proceeding and as such I am well acquainted with the facts and circumstances of the case.
2. That the contents made in paragraph 1, 3 are true to my knowledge and those made in paragraphs 4, 5 are derived from records which I consider to be true and rest being legal advice and submissions I sign this Verification at Guwahati on 23<sup>rd</sup> day of November, 1998.

*K. Padmanabhan*  
Deponent