

**CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH**  
**CIRCUIT SITTINGS: BILASPUR**

**CONTEMPT PETITION No.203/00063/2017**  
**(in OA No.203/00062/2016)**

**Bilaspur, this Thursday, the 6<sup>th</sup> day of December, 2018**

**HON'BLE SHRI NAVIN TANDON, ADMINISTRATIVE MEMBER  
HON'BLE SHRI RAMESH SINGH THAKUR, JUDICIAL MEMBER**

Jaswant Singh Kailashiya S/o Late K.L.Kalashiya,  
Aged about 67 years, R/o 424/52, Navdurga Nagar,  
Mathpurena, PO Sundarnagar, PS Tikrapara,  
Raipur (CG)-492013 Mob.No.9425262410

Email ID [jaskailashiya@gmail.com](mailto:jaskailashiya@gmail.com) **- Petitioner**

**(Petitioner in person)**

**V e r s u s**

R.P.Mandal, I.A.S., The then Principal Secretary,  
State of Chhattisgarh, Department of Forest,  
C/o The Chief Secretary, C.G. State, Mantralaya,  
Mahanadi Bhawan, Naya Raipur,  
District Raipur (CG)-942002

**- Respondents**

(By Advocate –**Shri Ajay Ojha**)

**O R D E R**

**By Navin Tandon, AM:-**

This Contempt Petition has been filed by the petitioner under section 17 of the Administrative Tribunals Act alleging willful disobedience of order dated 11.07.2016 (Annexure C-1) passed by this Tribunal in Original Application No.203/00062/2016.

2. Heard the petitioner in person and Shri Ajay Ojha, learned counsel for the respondent.

3. Vide order dated 11.07.2016, this Tribunal has passed the following order:-

*“(5). In view of the above, while deprecating the action of Respondent No.1 for the delay in disposal of the representation of the applicant, without entering into the merit of the matter, we dispose of this OA, at this admission stage with a direction to the Respondent No.1 to consider and dispose of the representation of the Applicant by a reasoned and speaking order and communicate the same to the applicant within a period of 60 days from the date of receipt of a copy of this order. If after such consideration, the applicant is found to be entitled to the relief claimed by him then expeditious steps be taken within a further period of 90 days from the date of such consideration to extend the benefit to the applicant. If in the meantime, the representation has already been disposed of then the result thereof be communicated to the applicant within a period of 15 days from the date of receipt of a copy of this order. No costs.”*

4. Learned counsel for the respondent/contemnor submits that upon passing of the order by this Tribunal an official communication dated 18.11.2016 (Annexure R-1) addressed to the Principal Secretary, Department of Forests was issued, wherein details of payments made to the petitioner have already been given. A perusal of which, would reveal that as per his entitlements all the payments were made to the petitioner.

**4.1** The learned counsel further submits that various representations submitted by the petitioner were also duly considered and rejected vide order dated 13.11.2017 (Annexure R-2) and the petitioner was duly informed about the same. He also submitted that after filing of the present Contempt Petition, another communication dated 21.2.2018 (Annexure R-3) was issued again intimating about the payments made to the petitioner. He, therefore, submits that the order of the Tribunal has been duly complied with.

**5.** On perusal of the order of the Tribunal we find that the aforementioned Original Application No.203/00062/2016 was disposed of vide order dated 11.07.2016, at the admission stage itself, without entering into the merits of the case, with a direction to the respondent to consider and dispose of the representation of the petitioner by a reasoned and speaking order and communicate the same to the petitioner within a period of 60 days from the date of receipt of a copy of the said order. It was further directed that if after such consideration, the petitioner is found to be entitled to the relief claimed by him then expeditious steps be taken within a further period of 90 days from the date of such consideration to extend the

benefit to the petitioner. It was also observed that if in the meantime, the representation had already been disposed of then the result thereof be communicated to the petitioner within a period of 15 days from the date of receipt of a copy of the said order.

**6.** We find that the respondent has passed the order dated 13.11.2017 (Annexure R-2) much after the time limit prescribed by the Tribunal in order dated 11.07.2016. However, since the respondent has already considered and passed the order on the representations submitted by the petitioner, though with some delay, we are of the opinion that the order dated 11.07.2016 passed by the Tribunal in OA No.203/00062/2016 has now been duly complied with by the respondent.

**7.** During the course of arguments, the petitioner has submitted that no interest has been paid to him on delayed payment of retiral benefits. However, we find that in the order dated 11.07.2016 passed by the Tribunal in O.A.No.203/00062/2016 there was no direction for payment of interest. Since this is a Contempt Petition, we cannot grant any relief to the petitioner in this regard.

**8.** Accordingly, this Contempt Petition is dismissed. Notice issued to the respondent-contemner is discharged. However, he is advised to ensure in future that orders of the Tribunal are complied with in time. No costs.

**(Ramesh Singh Thakur)**  
**Judicial Member**

**(Navin Tandon)**  
**Administrative Member**

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