

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...

**Contempt Petition No. 060/00100/2018 in
ORIGINAL APPLICATION NO. 060/00443/2018**

Chandigarh, this the 20th day of December, 2018

...

**CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J) &
HON'BLE MRS. P. GOPINATH, MEMBER (A)**

...

Gyan Parkash Sharma s/o Lt. Suresh Dutt Sharma, aged 56 years,
r/o Jawahar Nagar Mankapur Bazar, Gonda (U.P.) c/o Command
Hospital, Chandimandir, District Panchkula 134109 (Group 'B').

....Petitioner

(By Advocate: Shri Sandeep Siwatch)

VERSUS

Sh. P.V. Rao, Central Record Office (officer), pin 900106, c/o 56
APO .

....RESPONDENT

(By Advocete: Shri. Arvind Moudgil)

ORDER (oral)

SANJEEV KAUSHIK, MEMBER (J)

On 31.10.2018, the following order was passed:-

“Despite last opportunity granted on the previous date of hearing to comply with the order of this court, Mr. Arvind Moudgil, learned counsel for the respondents prays for another three weeks time to file compliance affidavit. In the interest of justice, time granted with the caveat that if the order is not complied within time, as prayed for, then the authority who has to pass the order, shall remain present in the court in this regard.

List on 5.12.2018.

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2. On subsequent date, neither the compliance affidavit was filed nor contemnor was present in the Court, as per direction of this Court. The respondent was granted further 3 weeks time to comply with the order.

3. Today, also the contemnor is not present. However, Shri Arvind Moudgil, learned counsel for respondents has placed on record a copy of order dated 17.12.2018 and submitted that since the order of this Tribunal has been complied with, therefore, they be discharged from contempt proceedings. The copy of the same is taken on record.

4. Mr. Siwatch, leaned counsel for petitioner submitted that he has not received the actual payment and, therefore, the contempt proceedings, be continued.

5. Considering the fact that on the previous date, neither the compliance affidavit was filed nor the contemnor was present, we take a serious view of the matter for showing disobedience. However, as a matter of indulgence only, the respondent is discharged from contempt proceedings.

6. A copy of this order be forwarded to Garrison Engineer, (P) CH, Chandimandir for information.

(P.GOPINATH)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

Dated: 20.12.2018

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