

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

CP 148/2003 in OA 506/2003

New Delhi, this the 29th day of July, 2003

Hon'ble Smt. Lakshmi Swaminathan, Vice-Chairman (J)  
Hon'ble Sh. V.K.Majotra, Member (A)

Jahan Aara  
W/o Late Adbul Rahim  
Village/PO Razapur  
Distt. Ghaziabad (UP).

...Petitioner

(By Advocate Sh. S.C.Soren)

V E R S U S

Sh. P.K.Das  
General Manager  
India Govt. Mint  
D-2, Sector-1, Noida.

...Respondents

(By Advocate Sh. S.K.Gupta)

O R D E R (ORAL)

Smt. Lakshmi Swaminathan, VC (J)

We have heard both the learned counsel for the parties in CP 148/2003.

2. We have also seen Tribunal's order dated 6-3-2003 and the subsequent detailed order issued by respondents dated 21-4-2003. Learned counsel for the petitioner has submitted that the order passed by the competent authority in the Ministry dated 21-4-2003 was actually sent to him by covering letter of 28/29-4-2003. According to him, there has been inordinate delay, for which cost must be imposed against the respondents.

3. On the other hand, Sh. S.K.Gupta, learned counsel has submitted that there was only two days delay in the competent authority passing the aforesaid speaking order in terms of Tribunal's order dated 6-3-2003. He has submitted that delay was

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unintentional and respondents have also tendered their apology for the delay. In the circumstances, learned counsel has submitted that there has been neither intention<sup>ed</sup> nor any attempt on the part of the respondents to disobey the Tribunal's order at any time.

4. After considering the relevant facts and circumstances of the case, we find no justification to come to the conclusion that the respondents have wilfully and intentionally disobey<sup>ed</sup> the aforesaid order of the Tribunal<sup>ed</sup> and to continue with this CP or to punish the alleged contemnors.

5. For the above reasons, CP 148/2003 is dismissed. Claim for cost is also rejected taking into account the particular facts and circumstances of the case. Notices to the alleged contemnors are discharged. File be consigned to the Record Room.

V.K. Majotra

(V.K. Majotra)  
Member (A)

Lakshmi Swaminathan

(Smt. Lakshmi Swaminathan)  
Vice-Chairman (J)

/vks/