

MOHD. QAISER

A

v.

L.K. SINHA AND ORS.

NOVEMBER 6, 1995

[K. RAMASWAMY AND B.N. KIRPAL, JJ.]

B

Contempt of Court :

Order of Court—Non-compliance of—Application for initiating contempt proceedings against respondents—Steps taken to comply with Order—Administrative action initiated against erring officials—Court accepting unconditional apology tendered by respondents—Direction given to submit report of administrative action and its result.

C

The appellant, a former Railway employee, filed the present contempt petition against the respondent, who at the relevant time was functioning as General Manager, Northern Railway.

D

Disposing of the petition, this Court

HELD : The petitioner was reported to have refused to accept the cheque, which had been handed over to his counsel across the Bar. The compliance has been made though belatedly. The respondent stated that action was initiated against the erring officials who have defaulted in compliance of the order of this Court. He would submit the report of the action taken and result thereof. Unconditional apology accepted. [794-C-D]

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CIVIL APPELLATE JURISDICTION : Contempt Petition (C) No. 79 of 1995.

IN

Civil Appeal No. 5718 of 1994.

G

From the Judgment and Order dated 13.3.91 of the Central Administrative Tribunal, New Delhi in T.A. No. 813 of 1986.

N.S. Baist for the Petitioner/Appellant.

H

A Altaf Ahamed, Additional Solicitor General and A.D.N. Rao for the Respondents.

The following Order of the Court was delivered :

B In the affidavit filed by the respondents, it is stated that the General Manager came to know of the order of this Court for the first time on September 27, 1995 and immediately he directed payment of the amount. A cheque had been drawn in favour of the petitioner for a sum of Rs. 50,000 on September 29, 1995 and the cheque was offered to the petitioner. It is stated that he refused to accept the cheque on October 1, 1995 and then he was informed of the offer by Registered post with A.D. The cheque has been handed over to the counsel for the petitioner across the Bar. Under these circumstances, the compliance has been made, though belatedly.

C

D It is stated by the General Manager that action was initiated against the erring officials who had defaulted in compliance of the order of this Court. General Manager is directed to submit the report of the action taken and the result thereof to the Registry within 60 days from to-day. We accept the unconditional apology. The contempt proceedings are accordingly disposed of.

R.P.

Petitioner disposed of.