**Before The Hon'ble Central Administrative Tribunal Chandigarh: Circuit Bench At Shimla**

Contempt Petition No.:\_\_\_\_\_\_  of 2004 in O. A. No: \_\_\_\_\_\_

Petitioner/Applicant

Versus

Respondents/Contemner

Civil Contempt Petition under Section 17 of the Administrative Tribunals Act, 1985 read with Rules 18 of the Central Administrative Tribunals (Contempt of Court Rules) 1986 and Section 12 of the Contempt of Courts Act, 1971 for punishing the contemners/respondents for having willfully and deliberately disobeyed and not complied with the orders/directions passed by this Hon'ble Tribunal

Shimla                                                                                              Applicant

\_\_\_\_\_\_                                                                                Through, Advocate

Respectfully Sheweth:

1.         That the petitioner filed an OA No. \_\_\_ titled as \_\_\_\_\_\_Vs \_\_\_\_\_\_ before this Hon'ble Tribunal and this Hon'ble Tribunal was pleased to pass the orders on \_\_ (Annexure C-1) directing the respondents \_\_\_\_\_\_.

2.         That it is apparent from the above directions passed by this Hon'ble Tribunal that the order was comprehensive, unambiguous and clear in directing the respondents/contemners to \_\_\_\_\_\_

3.         That the above orders of this Hon'ble Tribunal were personaly served by the applicant on the contemner on \_\_\_\_\_\_.  Service of the above orders were complete on the contemners.  Despite this the contemner has not \_\_\_\_\_\_.

4.         That it is evident from the foregoing that in this way the contemner has committed contempt of this Hon'ble Tribunal for which the contemner deserves to be punished severely in accordance with the law in the interest of justice.

5.         That the contemner has purposely, willfully and knowingly disobeyed the sacrosanct orders of this Hon'ble Tribunal, thereby have conducted himself in the most reprehensible and unbecoming manner showing scant regard to the orders of this Hon'ble Tribunal which conduct on the part pf the contemner is palpably, manifestly and gravely contumacious and makes the contemner liable to be dealt with in accordance with the law and punished severely for willfully, deliberately and intentionally flouting, defying and disobeying the supreme authority of this Hon'ble Tribunal.

6.         That it is apparent from the material placed on record that no iota of doubt is left regarding the contemners having scant regard and utter disregard to the sacrosanct orders of this Hon'ble Tribunal, and the contemner is prima facie guilty of the contempt of the Tribunal for having deliberately and willfully disobeyed the orders of this Hon'ble Tribunal and the contemner deserves to be dealt with and punished in accordance with the law as by such unbecoming act of the contemner, the contemner has tended to lower the authority of this Hon'ble Tribunal and tended to interfere with the due process of the judicial proceedings and administration of justice.

7.         That interest of justice demands that the contemner is dealt with and punished severely in accordance with law for the willful, deliberate and intentional disobedience of the orders of this Hon'ble Tribunal.

8.         It is, therefore, most respectfully prayed that My Lords be pleased to punish the contemner in accordance with law and direct the contemner to comply with the orders of this Hon'ble Tribunal dated \_\_ immediately \_\_ in the interest of justice.  Such other orders be also passed in favour of the petitioner as deemed fit and proper in the facts and circumstances of the case.

AND FOR THIS ACT OF KINDNESS, THE HUMBLE PETITIONER AS IN DUTY BOUND, SHALL EVER PRAY.

Shimla                                                                                              Applicant

\_\_\_\_\_\_                                                                                             Through, Advocate

**BEFORE THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL CHANDIGARH CIRCUIT BENCH AT SHIMLA.**

Contempt Petition No.: \_\_\_\_\_\_\_ of 2004 in O. A. No:\_\_\_\_\_\_\_

Applicant

Versus

Respondents

Affidavit in support of contempt petition

I, \_\_\_\_\_\_\_, do hereby solemnly affirm and declare as under: -

1.         That the accompanying contempt petition has been prepared under my instructions.

2.         That the contents of paras 1 to \_\_ of the contempt petition are correct and true to the best of my knowledge.

3.         That I further solemnly affirm and declare that this affidavit of mine is true, no part of it is false and nothing material has been concealed therein.

      Affirmed at Shimla this the \_\_\_\_\_\_\_.

                                                              Deponent

**FORM NO. III**

**(See Rule 13 (b) (i)**

**CHARGE**

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL CHANDIGARH BENCH AT Shimla**

Contempt Petition (Civ/Cr) No.: \_\_\_\_\_\_\_of 2004 in OA No. :\_\_\_\_\_\_\_

Petitioner

Versus

Respondents/Contemners

Central Administrative Tribunal, \_\_\_\_\_\_\_ Bench, hereby charges you \_\_\_\_\_\_\_as under:-

That you, on\_\_\_\_\_\_\_, and thereby committed the contempt of this Tribunal punishable under Section 17 of Administrative Tribunal Act 1985, within our cognizance.

        You are hereby directed to be tried by this Tribunal for the aforesaid charge.

(Signature of the Hon’ble Member)

The charge was read over and explained to the alleged contemner and his plea was recorded as under:-

Contemner No. 1:

1.         Do you plead guilty to the charge?

Answer:

2.         Do you have anything else to say?

Answer:

Signature of the alleged Contemner                               Signature of the

                                                                                                Hon’ble Member/s

                                                                                                Presiding over

                                                                                                The Bench

Contemner No. 2:

1.         Do you plead guilty to the charge?

Answer:

2.         Do you have anything else to say?

Answer:

Signature of the alleged Contemner                           Signature of the

                                                                                            Hon’ble Member/s

                                                                                            Presiding over

                                                                                            The Bench

**Before the Hon'ble Central Administrative Tribunal at**

**Chandigarh: Circuit Bench at Shimla**

Contempt Petition No.: \_\_\_\_\_\_\_of 2004 O. A. No: \_\_\_\_\_\_\_

                                                        Applicant

                                       Versus

                                                        Respondents

## INDEX

|  |  |  |  |
| --- | --- | --- | --- |
| S. No. | Annx | Particular | Page Nos. |
| 1. |  | Memo of Parties | 1 |
| 2. |  | Contempt Petition | 2\_\_ |
| 3. |  | Affidavit | \_\_ |
| 4. | C-1 | \_\_ | \_\_ |
| 5. | C-2 | \_\_ | \_\_ |
| 6. | C-3 | \_\_ | \_\_ |
| 7. |  | Charge Sheet | \_\_ |
| 8. |  | Power of Attorney | \_\_ |

Shimla                                                                                                  Applicant

\_\_\_\_\_\_                                                                                               Through, Advocate

**BEFORE THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL CHANDIGARH BENCH AT SHIMLA**

Contempt Petition No: \_\_\_\_\_\_of 2004 in OA No.: :\_\_\_\_\_\_

Petitioner

VERSUS

Respondents

KNOW ALL TO whom these presents shall come that I/We \_\_\_\_\_\_\_ the above named PETITIONER do hereby appoint: - **\_\_\_\_\_\_\_\_\_\_\_** to be the advocate for the PETITIONER in the above mentioned case, to be all following acts, deeds and things or any of them that is to say:

1.         To act, appear and plead in the above mentioned case in this Court or any Court in which the same may be tried or heard in the first instance or in Appeal or Letters Patent Appeal or Review or Revision or execution or in any other stage of its progress until its final decision.

2.         To present Complaints, Pleadings, O.A., M. A. Appeals, Letters Patent Appeals, Petitions for Appeal to High Court/Supreme Court, Cross-objections or Petition for execution, review, revision withdrawal compromise or other petitions or affidavit or other documents as may be deemed necessary or advisable for the prosecution of the said case in all it's stages.

3.         To withdraw or compromise the said case or submit to arbitration any difference or disputes that shall arise touching or in any manner relating to the said cause.

4.         To receive moneys and grant receipts thereof and to do all other acts and things which may be necessary to be done for the progress and in course of the prosecution of the said case.

5.         To employ and instruct any other Legal Practitioner authorising him to exercise the powers and authorities hereby conferred on the Advocate whenever he may think fit to do so.

AND I/We hereby agree to ratify whatever the advocate or his substitute shall do in the premises.

AND I/We hereby agree not to hold the advocate or his substitute responsible for the result of the said cause in consequence of his absence from the court when the said cause is called up for hearing.

AND I/We hereby agree that in the event of the whole or any part of the fee agreed by me/us to be paid to the advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said cause until the same is paid.

IN WITNESS WHEREOF I/We hereupto set my/our hands to these presents the contents of which have been explained to me/us and understood by me/us the :\_\_\_\_\_\_

Accepted

Advocate                                                                                                     Client