**In The Hon'ble Hp Administrative Tribunal At Shimla**

Contempt Petition (Civil) No: \_\_\_\_\_\_ of 2004 in

O.A. No.: :\_\_\_\_\_\_ of 2004

Petitioner

VERSUS

Respondents/Contemners

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 in \_\_\_\_\_\_ on \_\_\_\_\_\_.

Shimla Petitioner

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

Respectfully Sheweth :-

1. That the petitioner filed an OA No.\_\_\_\_\_\_ of 2004 titled as \_\_\_\_\_\_ Vs \_\_\_\_\_\_ and others before this Hon'ble Tribunal which was decided on \_\_\_\_\_\_.

2. That this Hon'ble Tribunal was pleased to pass the orders/directions in its judgment dated \_\_\_\_\_\_\_\_, [annexed as Annexure C-1] which are re-produced hereunder for the convenience of My Lords :-

3. 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 \_\_\_\_\_\_.

4. That the above orders of this Hon'ble Tribunal were sent to the respondents in the OA through a legal notice by the counsel of the petitioner on \_\_\_\_\_\_ [annexed as Annexure C-2].

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

6. That the contemners have purposely, willfully and knowingly disobeyed the sacrosanct orders of this Hon'ble Tribunal, thereby have conducted themselves in the most reprehensible and unbecoming manner showing scant regard to the orders of this Hon'ble Tribunal which conduct on their part is palpably, manifestly and gravely contumacious and makes the contemners/respondents 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.

7. 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 contemners are prima facie guilty of the contempt of the Tribunal for having deliberately and wailfully disobeyed the orders of this Hon'ble Tribunal and they deserve to be dealt with and punished in accordance with the law as by their such unbecoming act they have 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.

8. That it is pertinent to mention here that there is no dearth of

9. That interest of justice demands that the contemners/respondents are dealt with and punished severely in accordance with law for their willful, deliberate and intentional disobedience of the orders of this Hon'ble Tribunal.

10. It is, therefore, most respectfully prayed that My Lords be pleased to punish the contemners/respondents in accordance with law and direct them to comply with the orders of this Hon'ble Tribunal dated \_\_\_\_\_ immediately by considering the petitioner for the \_\_\_\_\_\_\_ 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 Petitioner

\_\_\_\_\_\_ Through, Advocates

**In The Hon'ble HP Administrative Tribunal AT Shimla**

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

O. A. No.:\_\_\_\_\_\_ of 2004.

Petitioner

Versus

Respondents/Contemners

Affidavit in support of the 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 andSection 12 of the Contempt of Courts Act

 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 accompanying 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 correct and no part of it is false and nothing material has been concealed therein.

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

DEPONENT

Certified that the contents of this affidavit as well as the accompanying contempt petition have been read over and explained to the petitioner in the vernacular he understands and signs it as correct.

**IN THE HON'BLE HP ADMINISTRATIVE TRIBUNAL AT SHIMLA**

Contempt Petition No:\_\_\_\_\_\_ of 2004 in

O.A. No.:\_\_\_\_\_\_ of 2004

Petitioner

Versus

Respondents

**INDEX**

|  |  |  |  |
| --- | --- | --- | --- |
| Sl. No  | Annx  | Particulars of Documents  | Pages |
| 1. |   | Contempt Petition | 1 |
| 2. |   | Affidavit  |   |
| 3. | C-1 | Order of Tribunal dated |   |
| 4. | C-2 |   |   |
| 5. | C-3 |   |   |
| 6. | C-4 |   |   |
| 7. | C-5 |   |   |
| 8. |   | Power of Attorney |   |

Shimla Petitioner

\_\_\_\_\_\_ Through, Advocates