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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CONT.CAS(C) 727/2015**

S M MATLOOB

..... Petitioner

Through Petitioner in person.

versus

SATISH C MEHTA DG ICCR

..... Respondent

Through Mr.M.K.Bhardwaj, Advocate.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

% **29.11.2016**

Present contempt petition has been filed alleging wilful disobedience of the order dated 14th August, 2015 passed in W.P.(C) No.5226/2014, whereby the respondent was directed to implement the order dated 21st May, 2015 within a period of three weeks. Vide order dated 21st May, 2015, the respondent was directed to pay the petitioner the amount admissible to him after granting him 50% of the back wages from the date of his transfer to regional office, Lucknow till he joined back his duty in Delhi within one week.

It is the petitioner's case that the said order has been partially complied with.

However, it is the case of the respondent that the order in question has been fully complied with.

Since the present proceedings arose from an O.A. filed by the petitioner, this Court is of the opinion that the petitioner has an

alternative effective remedy by filing proceedings under Section 17 of the Administrative Tribunals Act, 1985. The relevant portion of the said Section is reproduced hereinbelow:-

***“17. Power to punish for contempt.-** A Tribunal shall have, and exercise, the same jurisdiction, powers and authority in respect of contempt of itself as a High Court has and may exercise and, for this purpose, the provisions of the Contempt of Courts Act, 1971 (70 of 1971) shall have effect subject to the modifications that-*

(a) The references therein to a High Court shall be construed as including a reference to such Tribunal;”

In view thereof, present contempt petition is disposed of with liberty to the petitioner to file the proceedings under Section 17 of the aforesaid Act before the Central Administrative Tribunal (CAT). In the event, such proceedings are filed, the CAT is directed to dispose of the same as expeditiously as possible.

MANMOHAN, J

NOVEMBER 29, 2016

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