

(OPEN COURT)

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH ALLAHABAD

This is the 21st day of February 2020

Misc. Contempt Petition No. 330/00004 of 2020

In

ORIGINAL APPLICATION NO. 330/01045 of 2019

Present:

HON'BLE MR.DEVENDRA CHAUDHARY, MEMBER (A)

HON'BLE MR RAKESH SAGAR JAIN, MEMBER (J)

Prabhakar S/o Shri Prakash Mishra, R/o Village & Post Pashi Khera, Kanpur
Nagar.

.....Applicant.

By Advocate: Shri S.M. Abbas Naqvi

VERSUS

Sri Atul Kumar Srivastava, Director Postal Services Kanpur Region, Kanpur
O/o PMG Kanpur 208001.

.....Respondent

ORDER

BY HON'BLE MR RAKESH SAGAR JAIN, MEMBER (J)

1. Heard Shri S.M, Abbas Naqvi learned counsel for the applicant.
2. The present contempt petition has been filed by the applicant Prabhakar seeking initiation of proceeding against respondent Atul Kumar Srivastava for willful disobedience of the order dated 30.10.2019 passed in O.A. No. 1045/2019 titled Prabhakar Mishra Vs. Union of India and others.
3. Learned counsel for the applicant submits that vide order 30.10.2019, respondents were given following directions:-

“At this stage, it is very difficult for us to decide as to whether the documents, demanded by the applicant, are relevant or not? Hence, the respondents are directed to check the relevancy of documents, demanded by the applicant, and

thereafter to furnish the relevant documents to the applicant for enabling him to file reply to the show cause notice"

4. It has been submitted by learned counsel for the applicant that despite direction of the Tribunal, respondent has not obeyed the direction as per order dated 30.10.2019 and, therefore, willfully and intentionally committed contempt of order of this Tribunal and be punished for the said offence.

5. We have heard and considered the arguments of the counsel for the applicant and gone through the material on record.

6. We are of the view that no case of contempt is made out against the respondent for willfully and intentionally committed contempt of order of this Tribunal dated 30.10.2019. Order specifically says that respondents are directed to check the relevancy of documents, demanded by the applicant, and thereafter to furnish the relevant documents to the applicant for enabling him to file reply to the show cause notice. Therefore, if the respondent has not adhered to this part of the order, it would be for the applicant to take up of the matter and seek further direction from the Tribunal as and when the O.A is listed. Accordingly, finding no merit in this contempt petition, the same is dismissed.

(RAKESH SAGAR JAIN)

Member (J)

(DEVENDRA CHAUDHARY)

Member (A)

Manish/-