

15
OPEN COURT

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD

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Allahabad : Dated this 14th day of September, 1999

Contempt Application No. 46 of 1996
Original Application No. 731 of 1993
District : Agra

CORAM :-

Hon'ble Mr. S. Dayal, A.M.

Hon'ble Mr. Rafiq Uddin, J.M.

Krishna Murari Gupta,
S/o Late Shri Chitarmal Gupta,
R/o 17/133, Tila Maithan,
Agra and retired Postal Assistant,
Agra Fort, Head Post Office.

(Sri MK Upadhyaya, Advocate)

. Applicant

Versus

1. Shri Bankey Behari Lal,
Senior Superintendent of
Post Offices, Agra Division,
Agra.

(Km. Sadhna Srivastava, Advocate)

. Respondents

O R D E R (O_r_a_l)

By Hon'ble Mr. S. Dayal, A.M.

This contempt petition has been filed for initiating the proceedings for contempt against the Opp. Parties for deliberate disobedience of a direction given in the order dated 4-8-1995 in OA No. 731/1993.

2. Learned counsel for the counsel have been heard.
3. The direction given in the OA No. 731/1993 is for disposal of the disciplinary inquiry within three months and in case the enquiry was not completed within three months, the applicant shall be given all service benefits as no proceeding

16

were pending against him. In case the disciplinary proceeding is brought to a conclusion, as per the direction and the applicant is absolved of the charges framed against him, he shall be entitled to full pay and allowances for the period of his suspension minus the subsistence allowance already paid. The recommendation of the DPC was to be acted upon and the applicant was to be given all the benefits from the date ~~of~~ his juniors were promoted by opening sealed cover regarding his promotion.

4. The short counter reply filed by the respondents shows that full pay and allowances after deducting the subsistence allowance has been paid to the applicant. The applicant has been granted promotion under time bound one promotion scheme w.e.f. 30-11-1993 and under ~~BCR~~ Scheme. The applicant has been paid arrears of pay and allowance under the ~~BCR~~ Scheme and also for the crossing of EB and time bound one promotion and other terminal benefits are also said to be paid to him.

5. In view the explanation given in the SCR we find that no disobedience of orders of this Tribunal has been made out and the case for contempt against the Opp. Parties does not survive. The notices issued are discharged and the case is consigned to record.


Member (J)


Member (A)

Dube/