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OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH, ALLAHABAD

CIVIL CONTEMPT APPLICATION NO.102 OF 1997

IN

ORIGINAL APPLICATION NO.1107 OF 97

Allahabad, this the 14th day of September, 1999.

CORAM : Hon'ble Mr.S.Dayal, Member(A)
Hon'ble Mr.Rafiq Uddin, Member(J)

Mohd.Salim,
R/o. 2/14 Type-II
P & T Colony,
Kanpur .

.....Applicant

(By Shri Upendra Nath, Advocate)

Versus

1. N.D.Dayal, P.M.G.
Kanpur Region,
Kanpur.
2. Mata Prasad Bhargava, C.P.M.
Head Post Office,
Kanpur.

.....Respondents
Contemners.

(By Shri N.B.Singh, Advocate)

O R D E R (Open Court)

(By Hon'ble Mr.S.Dayala, Member(A))

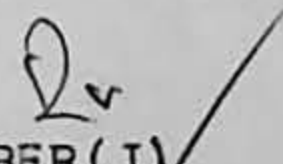
This contempt petition was filed by the applicant against the alleged contemner for willful and deliberate disobedience of the Stay order dated 24-10-97 in original application No.1107/97.

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2. None has appeared for the applicant, Shri S.K.Anwar is present for Shri N.B.Singh for the respondents.

3. The directions given in interim order dated 24-10-97 that no further recovery from the pension was to be made till the next date. The case of the applicant is that despite this order deductions were made from the salary for the month of October, 1997 which was paid to the applicant on 4-11-97. The opposite party in the counter reply have stated that they have not made any recovery from the pension of the applicant but had made recovery from the dearness relief. This was said to be as per the standing orders of the Director General of Posts, New Delhi. In another counter affidavit filed on behalf of respondent No.1, it has been mentioned that certain deductions were made from the dearness relief of the applicant, but when the matter was brought to the notice of the opposite party No.1, the recovery from dearness relief has also been stopped.

4. In view of the averment, we find that no case for deliberate disobedience of the order of this Tribunal is made out. The contempt petition is, therefore, dismissed and the notices issued to the opposite parties are discharged.


MEMBER(J)

Satya/


MEMBER(A)