

Hansraj

Vs. R.C.Verma & Another

CCA 100/01

24.4.2002

OA 181/98

HON.MR.JUSTICE R.R.K.TRIVEDI,V.C.

HON.MRJ.?GEN.K.K.SRIVASTAVA, MEMBER(A)

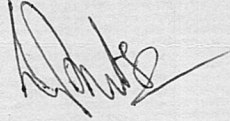
We have heard Shri Ashish Srivastava holding brief of Shri R. Sinha and Shri Pankaj Srivastava holding brief of Shri Satish Chaturvedi, ^{Counsel for respondent 2, has been submitted} that the order of this Tribunal has been complied with and there is nothing left to be decided in this contempt application. Shri Ashish Srivastava counsel for the applicant on the other hand, submitted that the applicant has been reinstated on the post but he is not being paid the same allowances which he used to receive before the impugned order was passed against him. We have considered the submission of the counsel for the applicant. The direction of the Tribunal was as under:-

" We, therefore, find that the order of termination dated 10.2.1998 passed without giving any opportunity to the applicant is bad in law. The order is, therefore, set aside. The applicant shall be reinstated in service within a period of 15 days from the date of receipt of a copy of this order."

As averred by the respondents applicant has been ^{re-} reinstated on the post of EDDA by order dated 6.7.01(Annexure 1 to the CA). Thus, the order has been complied with. The dispute regarding payment of allowances was not subject matter of the controversy before this Tribunal. In the circumstances, if the amount paid to the applicant is not correct as per rules it is difficult to say that any contempt has been committed. However, it shall be open to the applicant to file a representation before the Supdt. of Post offices Farrukhabad inviting his attention that the allowances paid are not according to rules and if representation is filed, it may be decided.

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Subject to aforesaid, this contempt application dismissed. Notices are discharged. No order as costs.



MEMBER(A)



VICE CHAIRMAN

Dated: 24th April, 2002

Uv/