

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH

ALLAHABAD

Allahabad : Dated this 5th day of March, 2002.

Civil Contempt Application No.207/2001.

In

Original Application No.1426 of 1993.

CORAM:-

Hon'ble Mr. Justice RRK Trivedi, V.C.

Hon'ble Maj Gen KK Srivastava, A.M.

Kedar Nath Srivastava,
S/o Late Dudh Nath Lal,
Resident of Parmandapur, Garhwar Road,
PO & District Ballia.

(Sri HS Srivastava, Advocate)

.Applicant

Versus

1. Sri PK Gupta,
Divisional Railway Manager,
Varanasi Division, North Eastern Railway,
Varanasi.

2. Sri BK Srivastava,
Divisional Personnel Officer,
North Eastern Railway,
Varanasi.

(Sri KP Singh, Advocate)

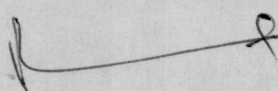
.Respondents

ORDER (O r a l)

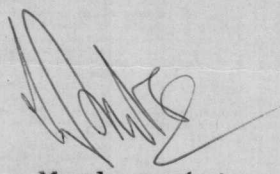
By Hon'ble Mr. Justice RRK Trivedi, V.C.

By this application filed under Section 17 of the Administrative Tribunals Act, 1985, the applicant has prayed to punish respondents for wilful disobedience of the order dated 13-10-2000 passed in OA No.1426/1993. The direction given in the order is as under :-

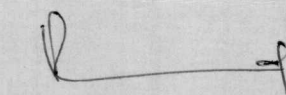
"For the above, the OA is decided with the observation that in case the applicant moves a representation to the competent authority in respondents establishment within one month from today mentioning therein the details of the amount, he claims, the same be decided within 4 months thereafter in the light of above observation. If any amount is found to be paid to the applicant, the same be paid with interest as admissible under rules. The applicant shall also be entitled for interest @10% per annum on the amount of gratuity, which is said to have been paid beyond the prescribed period. No order as to costs."



2. Counter reply has been filed. From perusal of the counter affidavit it appears that vide Cheque No.G361928 dated 1-1-2002 the applicant has been paid an amount of Rs,7196/- as interest on the amount of gratuity which was paid to him after the prescribed period. A copy of the order dated 25-8-2001 has also been annexed which shows that the representation of the applicant has been decided with regard to other claims. The counsel for the applicant has expressed his dissatisfaction about the order passed on the representation. In our opinion, as the order of this Tribunal has been substantially complied with, it is not a fit case to proceed against the respondents. However, in case the applicant is still aggrieved by the order passed by the respondents, he may challenge the same. The contempt application is rejected.



Member (A)



Vice Chairman

Dube/