

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD.  
Civil Contempt Application No. 758 of 2001.  
In  
Original Application No. 106 of 2001.

Allahabad this the 7th day of October, 2002.

Hon'ble Maj Gen KK Srivastava, A.M.  
Hon'ble Mrs. Meera Chhibber, J.M.

Deena Nath Singh son of Late Ram Dayal  
resident of Village and post Karan  
Chhapara, District Ballia.

.....Applicant.

(By Advocate : Sri A.K. Rai)

Versus.

Jokhu Singh (J. Singh)  
Superintendent of Post Offices,  
District Ballia.

.....Respondents.

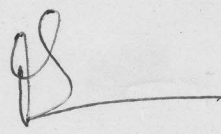
(By Advocate: Sri A. Sthalekar)

ORDER (Oral)


(By Hon'ble Mrs Meera Chhibber, J.M.)

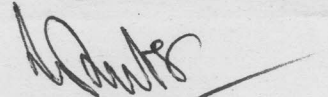
This contempt application has been filed by the applicant stating therein that the respondents have not complied with the direction given by the Tribunal in its order dated 02.02.2001 in O.A. No. 106 of 2001.

2. By this order the respondents were directed to serve the memo of charge on the applicant within a month from the date of receipt of copy of this order and the representation of the applicant was also directed to be decided by a reasoned order within a period of one month. Respondents have filed the reply stating therein that they had already disposed of the representation of the applicant vide their order dated 27.2.01 filed as Annexure CA-2 and order dated 2.2.01 filed as Annexure CA-1. Today when the case came up, counsel for the applicant filed rejoinder and submitted though the chargesheet dated 19.3.2001 was served on the applicant on 3.4.2001 but the order



annexed with the counter as Annexure CA-1 and Annexure CA-2, were never served on the applicant. According to the applicant's counsel these orders have been prepared by the respondents by putting back date on them just in order to get out of clutches of court, in the contempt proceedings, without going into the controversy as to whether the said order was served on the applicant or not. What we have to see in the contempt proceeding is whether the respondents have committed any wilful disobedience of order of this Tribunal. Now the respondents have already annexed the orders passed by them giving reasons therein: as to why, his subsistence allowance cannot be released. We do not think that any purpose would be served by keeping pending these contempt proceeding any longer. We, however, make it clear that if the applicant is aggrieved by the orders passed by respondents ~~and~~ annexed as Annexure CA-1 and Annexure CA-2, he would be at liberty to challenge the same by filing afresh O.A. It is stated by the applicant's counsel that other persons who were said to be involved in the same facts and circumstances, were not only given the subsistence allowance but their suspension was also revoked. Subsequently, ~~it goes without saying that in the contempt proceedings~~ therefore he has been discriminated against. In contempt proceedings we cannot go into all these aspects and since liberty has already been given to the applicant to challenge the orders if he is aggrieved and direction has already been complied with <sup>by the respondents</sup> the C.C.A is dismissed. The notices against the respondents are discharged.

  
Member-J

  
Member-A

Manish/-