

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH ALLAHABAD.

Civil Misc. Contempt Petition No. 61 of 2001.

in

Original Application No. 601 of 1997.

Wednesday, this the 08th day of January, 2003.

Hon'ble Mr. Justice R.R.K Trivedi, V.C.

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

Prem Shankar Mishra,
aged about 61 years,
S/o Late Shri Ganga Sagar Mishra,
R/o 512/1, Chak Dondi, Station Road,
Naini, Allahabad.

.....Applicant.

(By Advocate : Sri Rakesh Verma)

Versus.

Major General Prakash Soori,
Chief Engineer, Central Command,
Lucknow Cantt., Lucknow.

.....Contemner.

(By Advocate: Sri S Chaturvedi)

ORDER

(By Hon'ble Mr. Justice R.R.K Trivedi, V.C.)

This application under section 17 of the Administrative Tribunals Act 1985 has been filed for punishing respondents for non-compliance of the order dated 15.5.2000 passed in O.A. No. 601 of 1997. Against this order writ petition No. 30706 of 2000 was filed before the Hon'ble High Court, Allahabad which was disposed of finally on 19.7.2000. The order of this Tribunal was upheld with certain clarification. As the order was not



complied with wilfully, The applicant filed contempt application No.61 of 2001 in which the order dated 13th April 2002 was passed after hearing the parties directing the opposite party No.1 namely Major General Prakash Suri, Chief Engineer, Central Command Lucknow Cantt. Lucknow to appear before the Tribunal on 4.7.2002 to answer the charge. Against this order ^{dated &} ~~on~~ 30.4.2002. Writ petition No.22103 of 2002 has been filed by the respondents before the Hon'ble High Court, in which the effect and operation of the order has been stayed. In view of the interim order, this Tribunal cannot proceed in this contempt application till the writ petition is decided. No useful purpose will be served ^{if the proceedings are kept pending here, as the question} ~~as to~~ whether the order has been complied with or not, ~~This~~ ^{it} shall be now decided by the Hon'ble High Court in the writ petition. In the circumstances, this contempt application is dismissed, notices are discharged. However, it is made clear that after the judgement of the Hon'ble High Court, ^{if} the order of this Tribunal remain not complied with, it shall be open to file fresh application.

Member-A

Vice-Chairman.

Manish/-