

CCA 21/01

OA 666/92

Ashok Kumar Pandey

.... Applicant

Versus

A.P.Mishra, D.R.M,Northern  
Railway, Allahabad. .... Respondent

30.1.2002

CORAM:

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

HON.MAJ.GEN.K.K.SRIVASTAVA, MEMBER(A)

We have heard Shri Sajnu Ram learned counsel for the applicant and Shri A.K.Pandey learned counsel for the respondents. Supplementary counter affidavit has been filed today.

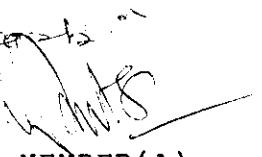
By this application applicant has prayed to punish the respondents for not complying with the order of this Tribunal dated 17.4.2000 passed in OA 666/92. It appears that against the order of this Tribunal a writ petition No.5433/01 was filed in High court in which initially interim order was passed on 14.2.01 staying the operation of the order of this Tribunal dated 17.4.2000. The writ petition however, has been dismissed on 11.12.01. The respondents have thereafter passed the order on 10.1.02 for reinstating the applicant on the post and the applicant has joined on the basis of the same. Thus part of the order has been promptly complied with after the writ petition filed before Hon'ble High court was dismissed. In the circumstances, we do not find that there is any wilful disobedience of the order.

Shri Sajnu Ram learned counsel for the applicant, however, submitted that order has not been complied with so far as consequential benefits are concerned. In reply to this learned counsel for the respondents has submitted that in assessing the consequential benefits some time is

..p2

:: 2 ::

required and remainaing part of the order shall be complied with very soon. In view of the aforesaid statement of counsel for the respondents we do not see any ~~further~~ purpose to keep this application pending. The contempt application is disposed of . Notices are discharged. *Dr. Gopal*

  
MEMBER(A)

  
VICE CHAIRMAN

Dated: 30.1.2002

Uv/