

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Civil Contempt Petition No. 13 of 2004
in
Original Application No. 1096 of 2003

Dated: This the 28th day of September, 2004

HON'BLE MR. A.K. BHATNAGAR, J.M.
HON'BLE MR. D.R. TIWARI, A.M.

Pancham Lal son of Late Bhaddu Lal,
R/o House No. 217, Rajeev Nagar, P.O. Nagra,
P.S. Prem Nagar, Pargana and Tehsil Jhansi,
District Jhansi, posted as Helper Khalasi,
Senior Divisional Signal & Telecommunication
Engineer's (Sr. D.S.&T.E.) Office, North Central
Railway (N.C.R.), Jhansi.

..... Applicant.

By Adv. : Shri J.N. Rai

Versus

Shri Madhuresh Kumar,
Divisional Railway Manager,
(North Central Railway), N.C.R.,
Jhansi.

..... Respondents.

By Adv. : Shri P. Mathur.

O R D E R

By Hon'ble Mr. A.K. Bhatnagar, J.M.

This contempt petition has been filed for
punishing the respondent no. 2 i.e. Madhuresh Kumar,
D.R.M., Jhansi for wilful disobedience and for non-

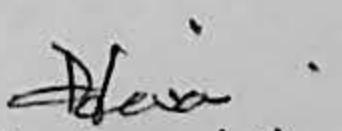
: 2 :

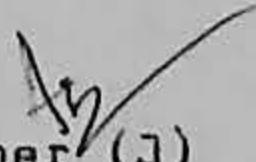
compliance of the order dated 17.9.2003 passed in O.A.No. 1096 of 2003 by which the following order was passed:-

"considering the facts and circumstances and the fact that respondent no.2 has decided the appeal of the applicant he is directed to take decision with regard to the back-wages and other benefits for which applicant could have been entitled/treating him in service during the period 15.6.1999 to 16.5.2002. The representation, shall be decided by a detailed and reasoned order within three months from the date a copy of this order is filed. There will be no order as to costs. "

2. Counsel for the respondents filed Counter Affidavit on behalf of respondent no.2 and invited our attention on para 5 of page 12 of counter affidavit and submitted that the representation of the applicant had already been decided on 23.01.2004 by the competent authority under intimation to the applicant, which was received by him on 28.1.2004, in support of which counsel for the respondents has also filed Annexure C.A.-6 and C.A.-7.

4. We have also gone through these Annexures and on perusal of C.A.-7, we find that the applicant has received the order passed by the department on 28.1.2004 and even the applicant has acknowledged the same by putting his signatures on it. In view of the above we find that due compliance has been made, therefore, no case of contempt is made out. Accordingly the contempt petition is rejected, notices, issued earlier, are discharged.


Member (A)


Member (J)

Brijesh/-