

OPEN COURT.
CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH ALLAHABAD.
Civil Contempt Application No. 14 of 2004.
IN
Original Application No. 872 of 2001.

ALLAHABAD THIS THE 6th DAY OF DECEMBER, 2005.

Hon'ble Mr.A.K. BHATNAGAR, MEMBER-J
Hon'ble Mr. S.C. Chaube, Member-A

Amrendra Singh
S/o Sri Raj Bahadur Singh,
R/o Village Morrapar, P.O. Kusmihi Bazar,
District Gorakhpur.

.....Applicant.

(By Advocate : Sri Ashish Srivastava)

Versus.

Kamlesh Chandra, Post Master General, Gorakhpur
Division, Gorakhpur.

.....Respondents.

(By Advocate : Sri Saumitra Singh)

ORDER

By Hon'ble Mr.A.K. BHATNAGAR, MEMBER-J

This contempt application has been filed for willful disobedience of the order passed in O.A. No.999/01 and O.A. No. 872/01. The following direction was issued in O.A No.999/01 which is as under:-

"The O.A. is accordingly disposed of finally with the direction to the respondent NO.2, Post Master General, Gorakhpur to decide the representation of the applicant by a reasoned order after hearing the applicant and respondent NO.2 within a period of three months from the date a copy of this order is filed. To avoid delay it shall be open to the applicant to file a fresh copy of the representation alongwith a copy of this order".

In O.A. No.872/01, the following order was passed:-

Am

"In the facts and circumstances of the case, the O.A. is finally disposed of with direction to respondent NO.2 to hear the applicant as well as respondent NO.4 and pass a reasoned order within a period of three months from the date of receipt of a copy of this order".

2. Sri Ashish Srivastava counsel for the applicant submitted that the order passed by the respondents on 09.2003/07.10.2003 have not been passed in true letter and spirit of the direction passed by this Tribunal.

3. On the other hand, Sri S. Singh counsel for the respondents submits that the orders passed by this Tribunal have already been complied with.

4. We have perused the records available before us and we have gone through the order passed by Post Master General, Gorakhpur on 09/2003/7.10.2003 (Annexure A-5). In para 3 of the said order, it has been specifically stated that the applicant as well as respondents of the O.A. No.872/01 have appeared before the respondents and after hearing both the persons, the said order was passed in compliance of both the O.A No.999/01 and O.A. No.872/01.

5. After hearing both the counsel, we are of the considered view that the case of contempt is not made out, therefore, there is no need to issue notices to the respondents. Accordingly, contempt application is dismissed. However, if the applicant is aggrieved by the order passed by the respondents dated 7.10.2003, he may come on the original side.

Member-A

Member-J

Manish/-