

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD

CIVIL MISC. CONTEMPT PETITION NO. 34 OF 2004

ALLAHABAD, THIS THE 27<sup>th</sup> DAY OF APRIL, 2004

HON'BLE MRS. MEERA CHHIBBER, MEMBER (J)  
HON'BLE MR. S. C. CHAUBE, MEMBER (A)

1. Smt. Chandrawati Sahai  
mother of Late Rajesh Sahai,  
Section Officer, Office of the A.G. Audit II  
Allahabad died while posted at Commercial Audit  
Wingh, Lucknow. r/o Rajendra Nagar, Lucknow.
2. Rohit Sahai, son of Late Rajesh Sahai (Minor)  
through his grandmother Smt. Chandrawati Sahai  
r/o 167 Rajendra Nagar, Lucknow.

.....Applicant

(By Advocate : Shri D.P. Khare)

V E R S U S

1. Parag Prakash Accountant General U.P.,  
(A & E) I through Mohammad Farooq, the Pay  
and Accounts Officer, Office of the (A&E) I  
Allahabad.
2. Birendra Kumar  
Accountant General (Audit) II U.P. Allahabad  
(Commercial Audit Wingh) at C.G.O. Complex  
Sector I Aliganj, Lucknow.
3. Ms. Darshna Jain  
Pay & Accounts Officers,  
Central Pension Accounting Office  
Ministry of Finance, Department Expenditure  
Block II Trikoot Complex, Bhika Ji Came Place,  
New Delhi-110066.

.....Respondents

(By Advocate : Shri Amit Sthalaker)

O R D E R

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

This contempt petition was filed by the applicant  
alleging non-compliance of the order dated 19.01.2004. By the  
said order, it was observed as under:-



"Learned counsel submitted that as per P.P.O. at least as far as the amount of Rs.18,000/- is concerned, there is no dispute at all and since 1/3 of 18,000/- has already been paid to wife the rest 2/3 should be paid to the applicants i.e. Smt. Chandrawati Sahai Mother of Late Rajesh Sahai and Shri Rohit Sahai, son of Late Rajesh Sahai. There is some force in the submission of applicant's counsel. However, counsel for the respondent No.2 and 4 to verify the position as to why applicant's share as mentioned in the PPO has not been given to them so far. In case the authority has already been issued for the undisputed amount in favour of both the applicants at least the same should be paid to them within 4 weeks. Respondents to file their reply also within the said period counsel for respondent No.6 also file his reply within four weeks positively. Applicant's counsel may file their R.A. within two weeks thereafter.

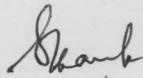
This case shall be decided on the next date i.e. 19.03.2004.

2. Respondents have now filed their affidavit stating therein that in compliance of the interim order dated 19.01.2004 a sum of Rs.6,000/-(each) has been paid to Smt. Chandrawati Sahai and Rohit Sahai being 2/3 amounts of arrears of pension. They have also annexed the pay order dated 15.04.2004 and the demand draft dated 15.04.2004 for Rs.6,000/- each. They have also sought unconditional and unqualified apology from the court in case court is of the opinion that they have dis-obeyed the order passed by this Tribunal. Purpose of issuing notices in contempt petition is only to see that the order passed by the Tribunal are complied with. Since respondents have already complied with the direction given by this Tribunal and they have also sought apology from the court, we do not think that this contempt petition should be lingered on any further. Counsel for the applicant was seeking time to verify the position but since respondents have already issued demand draft and the main O.A. of the applicant is still pending, he can always verify the position from the applicant and in case there is any difficulty, it will be open to the applicant to point <sup>it</sup> out in the main O.A.



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3. In view of the above discussion, there is nothing more <sup>that</sup> survives in this contempt petition. <sup>by</sup> Therefore, this contempt petition is dismissed. Notices issued to the respondents are discharged.



Member (A)



Member (J)

shukla/-