

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

C.C.P.No. 39 of 2004

in

O.A. No. 465 of 1998

Allahabad: This the 10th day of May, 2004

HON'BLE MR. A.K.BHATNAGAR, J.M.

HON'BLE MR. S.C.CHAUBE, A.M.

Mohd. Mustaqim,
son of late Mohd. Amin,
R/o 345-E, Daryabad, Allahabad.

...Applicant.

By Advocate : Shri ABL Srivastava.

Versus

Shri R.G.Verma
Senior Superintendent Post Offices,
Allahabad.

....Respondents.

By Advocate : Shri Amit Sthalekar

O R D E R

By Hon'ble Mr. A.K.Bhatnagar, JM

This Contempt Application has been filed under section 17 of Administrative Tribunals Act, 1982 for punishing the respondents for non compliance of the order passed by the Tribunal in O.A. No. 465 of 1998 on 12.11.2003. The following order was passed:-

" Since we are holding that there was no justification for the respondents for making delayed payments, applicant would also be entitled to the cost of Rs.2500/-. However, I have no power to grant any compensation, therefore, that relief is rejected. Respondents shall compute the arrears to be paid to the applicant after calculating the interest @ 9% w.e.f. May, 1996 i.e. after 3 months from the date

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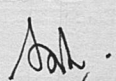
of his retirement till date when he was actually paid the amount and pay the same to applicant. This exercise shall be completed within 2 months from the date of receipt of a copy of this order."


2. The learned counsel for the respondents has filed Counter Affidavit today in the Court along with his vakalatnama after serving a copy of the C.A. to the applicant's counsel along with two cheques of amount to Rs.2500/- towards costs and another cheque of amount to Rs.4284/- as interest. The C.A. along with vakalatnama is taken on record.

3. The learned counsel for the respondents submitted that the order passed by this Tribunal in C.A.No.465 of 1998 has been complied with. He has handed over two cheques above mentioned to the applicant's counsel in Court today. The details of it has been specifically stated in para 4 of the C.A. We have gone through the para 4 of the C.A. and seen Annexure C.A.-I and C.A.-II, which are the photo copies of the cheques issued to the applicant. We are satisfied that the respondents have complied with the orders passed by the Tribunal in C.A. No. 465 of 1998. The respondents' counsel

4. Accordingly we find that no case of Contempt is made out so the contempt application is rejected and notice is discharged.

No costs.


Member (A)


Member (J)

Brijesh/-