

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH, ALLAHABAD.

Allahabad this the 17th day of December, 2004.

Contempt Petition No. 64 of 2004.

Hon'ble Mrs. Meera Chhiber, JM  
Hon'ble Mr. S.C. Chaube, AM

Smt. Nirmal Sharma a/a 62 years, W/o Sri M.M. Sharma  
R/o 22A, Clive Road, Allahabad. Retd. U.D.C, COD, Allahabad.

.....Applicant

Counsel for the applicant :- Sri BP Singh Kachchawah

Vs.

Capt.(Smt) Manisha Negi, Personnel Officer,(Civil),  
C.O.D, Chheoki, Allahabad.

.....Respondent

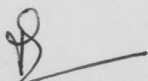
Counsel for the respondent :- Sri Saumitra Singh

O R D E R

By Hon'ble Mrs Meera Chhiber, JM.

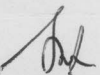
This contempt petition was filed by the applicant alleging disobedience of the order dt. 24.03.2003 whereby the impugned order dated 22.11.1998 was quashed and the respondents were directed to refund the amount deducted from the salary of the applicant within a period of 4 months from the date of receipt of a copy of the order. Today counsel for the respondent has brought a cheque <sup>for R</sup> Rs.43,541/- issued in favour of Smt. Nirmal Sharma but he has submitted that if this amount is paid to the applicant they will not be able to recover the said amount from the applicant, in case the writ petition is allowed by the Hon'ble High Court..

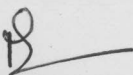
2. We have <sup>been R</sup> informed that till date no stay has been granted by the Hon'ble High Court, therefore, the cheque is being handed-over to the applicant in court who is present today. It is however, made clear that in case the writ petition is ultimately allowed in favour of the U.O.I, Smt. Nirmal Sharma



shall return the amount of Rs. 43,541/- in favour of the U.O.I. Smt. Nirmal Sharma has given undertaking to this effect in the court which is duly signed by her in presence of her Advocate Sri B.P. Singh Kachchawal. Respondents have further stated that they have already given due and drawn statement alongwith suppl. Affidavit which is not disputed by the applicant's counsel. *Undertaking is taken on record.*

3. In view of the above, this CCP is dismissed. Notice issued to the respondent is discharged.

  
Member- A.

  
Member- J.

/Anand/