

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH : ALLAHABAD

Civil Misc. Contempt Petition No.79 of 2004.

Wednesday, this the 11th day of August, 2004.

Hon'ble Mr. A.K. Bhatnagar, J.M.  
Hon'ble Mr. S.C. Chauhan, A.M.

Avinash Chandra Srivastava,  
S/o Sri L.N. Srivastava,  
360, Mutthiganj, Allahabad  
Posted at Regional Carpet Store  
Lekhrajpur, Allahabad.

.....Applicant.

(By Advocate : Shri N.L.Srivastava)

Versus

1. Smt. Tinu Joshi,  
Development Commissioner (Handicrafts)  
West Block No.7 R.K. Puram, New Delhi.

....Respondents.

(By Advocate : Shri S. Sthalaker)

O R D E R

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

By this contempt petition filed under Section 17 of A.T. Act, 1985, the applicant has prayed for punishing the respondent for wilful dis-obedience of the order dated 22.12.2003 passed by this Tribunal in OA No.1538 of 2003, by which the direction was issued to the competent authority to look into the grievance of the applicant and take appropriate decision on the representation within a period of three months from the date of communication of certified copy of this order.

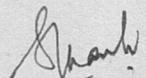
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2. On 21.5.2004, the notice was issued against the respondent. Learned counsel for the respondent submitted that the counter has been filed alongwith delay condonation application. Learned counsel for the respondents further submitted that the order passed in OA No.1538/2003 has already been complied with. He is filing the order of compliance dated 30.6.2004 alongwith counter and delay condonation application <sup>in the court</sup>. As due to non availability <sup>in the copy</sup> of the applicant's counsel he could not serve upon him. Any how the matter for contempt is between the court and contemner.

3. We have gone through the Annexure-CA-I filed by respondent's counsel alongwith affidavit, in which it is clearly <sup>been</sup> stated that Mr. Avinash Chandra Srivastava CTO under CRO, Lucknow is hereby granted financial up-gradation under the Assured Career Progression Scheme in next higher grade as per details given below i.e. Effective dated and up-gradated pay scale of 2nd ACP dated 17.5.2003 Rs.10,000-325-15,200. We are satisfied that the order passed by the Tribunal in OA No.1538/2003 has been duly complied with. Delay condonation application alongwith counter affidavit with Annexure-CA-I is taken on record. I. D. of the

4. In view of the above, we are of the view that no case of contempt is made out against the contemner. As the order of this Tribunal had duly been complied with, accordingly, the contempt petition is rejected and the notice is discharged.

  
Member - A

  
Member - J

RKM/