

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

Allahabad this the 03rd day of December, 2004.

Contempt Application No. 83 of 2004.

Hon'ble Mrs. Meera Chhibber, Member- J.
Hon'ble Mrs. Roli Srivastava, Member- A.

Ashok Chandra, Station Superintendent, Phulpur,
S/o Sri R.P. Sharma, R/o T-10A, Railway Quarter,
Railway Station, Phulpur, Distt. Allahabad.

.....Applicant

Counsel for the applicant :- Sri A.K. Srivastava

V E R S U S

R.K. Bansal, Divisional Railway Manager,
Northern Railway, Hazartganj, Lucknow.

.....Respondents

Counsel for the respondents :- Sri P. Mathur

O R D E R

By Hon'ble Mrs. Meera Chhibber, JM.

Applicant has filed this contempt application to punish the respondent for committing wilful disobedience of the order dated 12.01.2004 whereby direction was given to decide the appeal of the applicant by a reasoned and speaking order within a period of three months from the date of receipt of a copy of the order. Respondent has now filed an affidavit explaining therein that the copy of appeal was not available with the respondents and as such the applicant was asked to furnish the same but the applicant did not produce the copy of appeal on one pretext to other and in the meantime inadvertently the competent authority passed an order dated 18.08.2004 suo moto for reviewing the order of the disciplinary authority for enhancing the order of punishment but as soon as the order of this Tribunal came to the notice, appropriate steps ^{were} ~~are~~ taken and the order dated 18.04.2004 was modified



by giving liberty to the applicant to appear before the authority on 04.11.2004 for personal hearing. Since there was certain typographical error in the order, therefore, a corrigendum dated 03.11.2004 was issued and thereafter his appeal has been decided by order dated 04.11.2004 copy of which has been annexed with CA.

2. We have seen the CA filed by the respondent and *are* *12* satisfied that the delay was caused in deciding the appeal due to some ^{administrative} reasons which are found to be satisfactory. Therefore, delay is condoned. Since respondents have already decided the appeal of the applicant, the present contempt application is dismissed. Notice issued to the respondent is discharged. The applicant, however, would be at liberty to challenge the ~~appellate~~ order by filing fresh O.A. *if he is still* *12* aggrieved. *B*

pl
Member- A.

B
Member- J.

/Anand/