

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD

Civil Contempt Application 106 of 2004  
in  
Original Application No. 544 of 1995

Dated: This the 29th day of November, 2004

HON'BLE MRS. MEERA CHHIBBER, MEMBER-(J)  
HON'BLE MRS.ROLI SRIVASTAVA, MEMBER-(A)

Smt. Kamaljeet Kaur @ Kuldeep Kaur,  
w/o late Sri Raghbir Singh,  
R/o 249/2 Babupurwa Colony, Kanpur  
Nagar, District Kanpur Nagar.

....Applicant.

( By Adv. : Shri Vined Kumar )

Versus

1. Sri Prakash, Divisional Railway Manager,  
Northern Railway, Allahabad ( New North  
Central Railway, Allahabad ).
2. Sri R.N.Sagar, Station Master, North Central  
Railway, Kanpur.

....Respondents.

( By Adv. : Shri A.K.Gaur )

O R D E R

By Hon'ble Mrs. Meera Chhibber, J.M.

This Contempt Application was filed by the applicant  
alleging disobedience of the order dated 9th February, 1996  
passed in O.A.No. 544 of 1995. <sup>The</sup> ~~in~~ order dated 09.02.1996  
was stayed by this Tribunal in Review Application No. 75 of  
~~but subsequently to~~ 1996. The said Review Application was dismissed in default &  
for non-prosecution on 15.7.2003. Applicant, had, thus,  
submitted that she is entitled to get the benefits as

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directed by this Court in order dated 09.02.1996 as a result of dismissal of the Review Application.

2. Today when the matter was called out counsel for the respondents filed their affidavit stating therein that withheld family pension and other death settlement dues have been released for payment in favour of the applicants. The details of amounts are as follows:-

" 1. P.F. Rs.26521/-C07 no.1280 dated  
11.11.2004.

2. Death Gratuity Rs.17440/-

3. Group Insurance Rs.32210 Rs.61484 C07 no.  
242 dated 10.11.2004.

4. L.E. for 175 days Rs.11834/-  
L.A.P. at credit. "

3. They have further stated that the family pension w.e.f. 16.3.1990 @ specified in P.P.O.no.096030826 dated 11.11.2004 have been authorised for disbursement to State Bank of India, Kidwai Nagar, Kanpur through her Saving Bank Account no.16578/55. A copy of order dated 18.11.2004 is annexed as Annexure C.A.-I. They have further submitted that vide order dated 18.11.2004 applicant has been directed to collect the payment through cheque of aforesaid items except family pension from the Cashier concerned in the presence of STFO/PSI/CNB, and for family pension applicant has been directed to contact with State Bank of India, Kidwai Nagar, Kanpur (Annexure-C.A.-II).

4. Respondents <sup>have</sup> ~~are~~ further apologized for the delay. They have, however, submitted that the delay was not intentionally and have requested that the same may be condoned.

5. Counsel for the applicant submitted that respondents have only issued the letter and the order <sup>is</sup> but he ~~has~~ not assured whether the payments have been made to the applicant so far or not.

6. Once the order and letter is issued for giving certain benefits to the applicant, we are sure due payments would also be made to the applicant, therefore, we see no justification to retain this Contempt Petition <sup>is</sup> any further. The Contempt Petition is, therefore, dismissed. and notices, issued to the respondents, are discharged. However, in case the amounts as mentioned above are not given to the applicant for any reason, it will be open to her to revive this Contempt Petition by filing a Misc. Application. In case some payments are still found to be not paid to the applicant, it will be open to the applicant to give representation to the Authorities concerned for that purpose. and in case such a representation <sup>is</sup> given, we are sure that, respondents would decide the same by passing a speaking order within a reasonable period not later than 3 months in any case.

*B pending*

*MS*  
Member-A

*S*  
Member-B

Brijesh/-