

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Civil Contempt Application 160 of 2004
IN
Original Application No. 23 of 2002

Dated: This the 30th day of November, 2004

HON'BLE MRS. MEERA CHHIBBER, J.M.
HON'BLE MRS.ROLI SRIVASTAVA, A.M.

Smt. Sarita Singh, W/o Surya Nath Singh,
R/o Village and Post Office Deoria Babu
(Laxmiganj) District Kushinagar.

....Applicant.

By Advocate: Shri A.K.Singh

Versus

1. Sri V.K. Lal, Senior Superintendent of Post Offices, Deoria.
2. Sri Kulbir Singh, Post Master General, Gorakhpur.
3. Sri Madan Pandey, Son of Sri Ram Briksha Pandey, R/o Village and Post Office Mania Chhapar (Laxmiganj) District Kushinagar. At present residing at Village and Post Office Deoria Babu (Laxmiganj) District Kushinagar.

....Respondents.

By Advocate : Shri Saumitra Singh

O R D E R

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

Applicant has filed this Contempt Petition alleging disobedience of the order passed by the Tribunal in C.A. 23 of 2002 on 09.1.2004 by stating that even though the case of Shri Madan Pandey was dismissed by this Tribunal, ~~he~~ yet he is being continued on the post of Branch Post

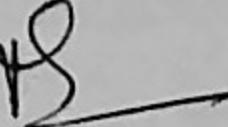
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Master, Deoria Babu (Laxmiganj), Kushinagar.

2. We have perused the judgment dated 09.01.2004 by which this Court had disposed off two O.As. simultaneously, one filed by Shri Madan Pandey bearing O.A.No.23/2002 while the O.A. filed by Smt. Sarita Singh bearing O.A.No. 574/2002. As far as O.A.574/2002 is concerned, this Court had categorically observed that the relief claimed by applicant cannot be granted by the Court. The O.A. was accordingly dismissed with no order as to costs. Therefore, Smt. Sarita Singh cannot claim that any of her right has been violated by the respondents as no direction was given in her case to the respondents whereas in case of Shri Madan Pandey, though his O.A. was dismissed but the Court had further observed that this order will not prejudice the claim, if any, of the said applicant to seek alternative appointment under the provisions contained in Rule 13(2) of the Rules, therefore, we do not know & whether the said Madan Pandey is being continued in terms of Rule 13(2) of the Rules or otherwise, but by no stretch of imagination ^{can it be said B} ~~applicant's claim is~~ that respondents are violating any direction given by this Tribunal because as far as her case is concerned, it was dismissed on merit.

3. Accordingly this contempt petition ~~is~~ calls for no interference, the same is accordingly rejected at the admission stage itself.


Member-A


Member-J

Brijesh/-