

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

CIVIL CONTEMPT APPLICATION NO. 30 of 2005.
In
ORIGINAL APPLICATION NUMBER 1190 OF 1998.

ALLAHABAD, THIS 26th DAY OF OCTOBER 2005

HON'BLE MR. A.K. BHATNAGAR, MEMBER-J.
HON'BLE MR. D.R. TIWAR, MEMBER (A)

1. Bindeshwari Devi, W/o late K.L. Verma.
2. Km. Jyoti, D/o late K.L. Verma,
3. Kapil, S/o late K.L. Verma,
All residents of 10/9, Johi Colony, Kanpur
Nagar.

..... Applicants.

(By advocate : Shri K.K. Mishra)

V E R S U S

S.K. Sharma, Senior General Manager, Ordinance
Factory, Kanpur.

..... Respondent.

(By Advocate : Shri S. Singh)

O R D E R

By HON'BLE MR. A.K. BHATNAGAR, MEMBER-J.

This contempt application has been filed for punishing the respondent for willfully disobeying the order passed on 20.10.2004 in O.A. No.1190/98 by which the following order was passed:-

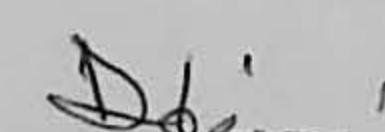
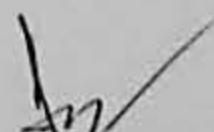
"Accordingly, the O.A. succeeds to the extent that the punishment of dismissal is converted into that of compulsory retirement. The respondents are directed to process for grant of retrial benefit to the legal heirs of the deceased applicant within a period of three months from the date of receipt of a copy of this order".

2. Learned counsel for the respondents, at this stage, invited our attention on para E of the

✓
W

counter affidavit and submitted that due compliance of the order dated 20.8.2004 has been made and Senior General Manager/Ordnance Factory, Kanpur has passed order dated 4.1.2005 converting the order of dismissal from service to that of Compulsory Retirement from service and also making the family (legal heirs) for receiving of retrial/pensionary benefits. Subsequently an another order dated 18.01.2005 was passed regularizing the suspension period from 11.6.1990 to 26.10.1995. A copy of the aforesaid orders dated 4.1.2005 and 18.1.2005 have been filed as Annexure CA-1 and CA-2. A copy of P.P.O. dated 4.5.2005 and forwarding letter dated 6.5.2005 and 6-7.05.2005 has already been annexed as Annexure CA- 3, 4 and 5.

3. We have heard counsel for the parties and perused the records, we are satisfied that the compliance of the abovementioned order has been made. Accordingly, contempt petition is dismissed and notice issued is hereby discharged. However, liberty is given to the applicant to file a fresh O.A., if so advised.


Member-A
Member-J

Manish/-