

OPEN COURT

**CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH
ALLAHABAD**

(THIS THE 05th DAY OF November, 2009)

PRESENT:

HON'BLE MR. JUSTICE A.K. YOG, MEMBER-J
HON'BLE MR. S. N. SHUKLA, MEMBER-A

**C.C.A. NO. 72 OF 2005
IN
ORIGINAL APPLICATION NO. 1190 OF 2000**
(U/s, 19 Administrative Tribunal Act.1985)

Hari Bilash son of Sri Mata Prasad Tiwari, R/o Village and post
Garh Mukha, District Agra.

.....Applicant.

By Advocate : Shri L.M. Singh

Versus

1. SRI RAVI SHANKER Commandant, Central Ordnance Depot, Agra.
2. Bgd. M. I. HUSAIN Officer-in-charge, A.O.C. (Record) P.B. No. 3, Trimulgherry Post, Sikandrabad. A.P.

..... Respondents

By Advocate : Shri R. K. Srivastava.

(DELIVERED BY: JUSTICE A. K. YOG- MEMBER-JUDICIAL)

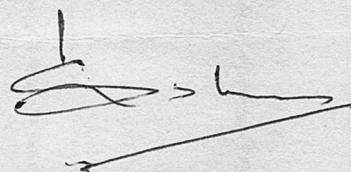
Heard learned counsel for the parties.

2. The Applicant contents that the order of the Tribunal dated 24.05.04 in OA No. 1190 of 2000 Hari Bilash Vs. Union of India and others (connected with OA No. 878 of 2001 Upendra Singh Vs. Union of India and others) has been deliberately breached.

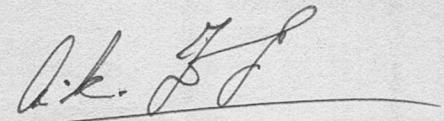
3. The Respondents have filed M.A. No. 1119/06 (in the registry on 16th May, 2006) supported by affidavit of Brig. Ravi Shankar. In Para 7,8 and 9 of the said affidavit, it is disclosed that the said

order of the Tribunal, was challenged by filing writ petition No. 508 of 2004 before Allahabad High court, the said court has been admitted and interim order dated 23.03.06 passed as a consequences of it said order of the Tribunal has been stayed. In view of the above, no action in Contempt is warranted.

4. Contempt Petition under aforesaid circumstances rendered infructuous and fails at this stage. Contempt notices are discharged and Contempt-Petition consigned to record. No costs.



MEMBER (A)



MEMBER (J)

/S.V./-