

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH
ALLAHABAD

(THIS THE 31st DAY OF JANUARY 2011)

HON'BLE DR. K.B.S. RAJAN, MEMBER-J
HON'BLE MR. S.N. SHUKLA, MEMBER-A

CIVIL MISC. CONTEMPT APPLICATION No. 124 OF 2010

IN

ORIGINAL APPLICATION NO. 552 OF 2005

(U/s, 19 Administrative Tribunal Act.1985)

Shiv Kumar Mishra (Dr.)
Son of late Jagan Nath Mishra,
Resident of 1/32, M.I.G. Avas Vikas Colony,
Yojana-III, Jhunsi, Allahabad.

.....Applicant.

By Advocate : Sri Alok Kumar Yadav

V E R S U S

Professor Radha Vallabh Tripathi,
Vice Chancellor, Rashtriya Sanskrit Sansthan,
(Deemed University) 56-57 Institutional Area,
Janakpuri, New Delhi.

..... Respondent

By Advocate : Dr. G.S.D. Mishra

ORDER

(DELIVERED BY: HON'BLE DR. K.B.S. RAJAN, MEMBER-J)

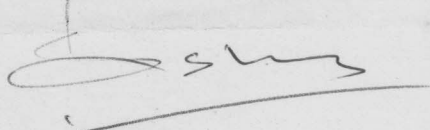
We have heard Shri Alok Kumar Yadav, learned counsel for the applicant. Dr. G.S.D. Mishra, learned counsel for the respondents.

2. This CCA has been filed for non compliance of order dated 6.10.2009 read with 02.02.2010. The order could not be complied with by the respondents as according to them recall application filed by them is still pending. Today that recall application has been dismissed

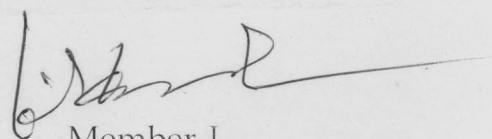
on the ground that the original application was disposed of on merit and not on account of non prosecution. Counsel for the respondents submits that the recall application has been preferred on the ground that this court has got no jurisdiction. We have considered the above contention. We are of the firm opinion that so far as application for recall of the order is concerned the same shall be limited to such cases which has been dismissed for non prosecution. Other cases do not fall within the category of recall application.

4. Now that the recall application has been dismissed, The order may be complied with within a period of two months from today.

5. Contempt Petition is disposed of. Notices issued are discharged. A copy of this order be made available to the parties counsel. Liberty is given to the applicant to move a fresh contempt petition if para 4 of this order is not complied with.



Member-A



Member-J