

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH,
ALLAHABAD.

DATED : ALLAHABAD THIS THE 20th DAY OF DECEMBER, 1995.

QUORUM : Hon'ble Mr. S. Das Gupta, Member-A
Hon'ble Mr. T. L. Verma, Member-J.

CIVIL MISC. CONTEMPT APPLICATION NO. 127 of 1994.

Smt. Trivedi Devi widow of late Sri
Nathoo Ram, R/o. 590-B, Smith Road,
Allahabad. Petitioner.

Versus

1. O. P. Mishra, Senior D.P.O. Northern Railway,
Allahabad.
2. A. K. Jain, D.R.M. Allahabad.
.....Respondents.

in

O.A. No. 1508 of 1993.

Smt. Triveni Devi,Petitioner.

Versus

Union of India and others.....Respondents.

O R D E R (oral)

(BY HON. MR. S. Das GUPTA, Member-A)

This contempt application has been filed for
alleging non-compliance with the directions contained
in the order dated 16.2.1994 by which a bench
of this Tribunal had disposed of O. A. No. 1508 of 1993.

2. The grievance of the applicant in the O.A.
was that she has not been paid the D.C.R.G. after the
death of her husband in harness. Noticing that certain

representations in this regard, ~~which~~ made by the applicant were pending disposal, the O.A. was disposed of with a direction that such representations should be considered and either the amount should be paid to the applicant in accordance with Rules or if no payment was to be made, the reasons ~~why~~ such payment are not due should be communicated to the applicant, within two months from the date of communication of the order.

3. It is stated that the applicant had communicated the copy of the order by letter dated 3.3.1994 but despite this no action was taken by the respondents and hence the contempt application was filed.

4. The respondents filed a counter-affidavit, in which it has been stated that direction of the Tribunal has already been complied with and reasons for with-holding of D.C.R.G. have already been communicated to the applicant by order dated 11/18.8.1994. A copy of this order has been annexed. We have seen from the counter-affidavit that the reason for with-holding of amount was that she retained the Railway Quarter, allotted to her husband, after the death of her husband.

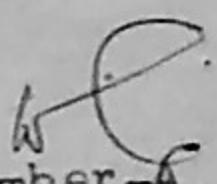
5. Learned counsel for the applicant states that on the ground ~~that~~ ^{of} wrongful retention of Railway Quarter D.C.R.G. can not be with-held. While this question can ~~not~~ be adjudicated separately in a fresh O.A. if filed, this does not come within the scope of contempt application. The contempt of Court is made,

only if the order of the Tribunal is deliberately dis-obeyed.

6. In view of the above we find that there is no wilful or deliberate dis~~obedience~~ to the orders of this Tribunal. The contempt application is therefore, dismissed. The notices issued to the respondents are discharged.



Member-J.



Member-A.

Pandey/-