

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH

ALLAHABAD

DATED THE 14th MAY OF 1996

C.C.A. 180/94

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O.A. 316/94

Hon'ble Mr.S.Das Gupta.A.M.
QUORUM :

Hon'ble Mr. T.L. Verma. J.M.

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C/A Shri S. Banerjee

VERSUS

1. Divisional Engineer, Telecommunication,
Mathura Sri G. P. Tripathi.
2. Sub-divisional Officer, Phones,
Mathura. Sri N.R.Chawla. - - - - - Respondents

ORDER (Oral)

By Hon'ble Mr. S. Das Gupta. A.M.

This application was filed, alleging non-compliance of the order dated 28.2.1994 by which ~~a~~ the bench of this Tribunal had disposed of O.A.No.316/94 in limine with a direction to the respondents to consider

payment of subsistence allowance to the applicant in case he made representation within a month from the date of the orders.

2. Respondents have stated in the counter affidavit that in compliance of the aforesaid order, applicant was paid an amount of Rs.25,012/- as subsistence allowance for the period 11.8.1992 to 30.4.1994 and thereafter another amount of Rs.18,723/- as subsistence allowance was paid for the period 1.5.1994 to 22.5.1995. ^{MR.} These amounts have been paid after receiving working certificate of the applicant.

3. Tribunal's order dated 28.2.1994 was passed this without issuing notice to the respondents. Despite the respondents have complied with the order and not only considered the representation of the applicant for payment of subsistence allowance, but actually paid the same. Learned counsel for the applicant submitted that the amount paid to the applicant would have been much more. He also submitted that the respondents did not consider his representation for revocation of suspension order. Question of revocation of suspension does not flow from the direction given in the aforesaid order. So far as the payment of subsistence allowance is concerned, respondents have complied with the direction given by the bench of this Tribunal. With regard to the revocation of suspension, ~~or the measure of the subsistence allowance~~ the applicant may agitate on these points in separate O.A, if it is not barred by limitation, ^{and is otherwise maintainable}.

4. With the above observations, contempt application is dismissed. Notices issued stand discharged.

J. M.
J. M.

W.P.
A.M.