

17.8.94

Hon. Mr. K. Muthukumar, A.M.

Sri R.K. Nigam appeared for the applicant. Counsel for the applicant has stated that this Tribunal has already ~~XXXXX~~ issued notices to the respondents for non-compliance of their order in O.A. no.970/92. Counsel for the applicant has also stated that in pursuance of letter received from the department, the applicant has filed necessary succession certificate for the payment of her dues. In the meanwhile some other claimant has filed suit in Munsif Court, Jhansi claiming 50% dues to deceased ~~of the~~ Government servant and the Munsif Court ^{has ruled on} ~~has allowed the~~ issue ^{framed and allowed admitting the application} ~~claimed by her~~ in O.S.365/92. So in this circumstance, the matter is still for hearing in Munsif Court. Taking the cognizance of the ~~provision in these~~, the Tribunal has again issued notice in ~~XXXXXX~~ C.C.A.1414/93 to the Munsif Court, for which no reply has been received. In the meanwhile present application has been moved ~~for~~ seeking interim relief for prohibiting the Munsif Court from proceeding and also for payment of dues. As ^{the} ~~A~~ matter ^{has} already ^{been} taken in the Munsif Court, further relief at this stage cannot be decided without knowing the outcome of the ~~provisions~~ and the direction of the Tribunal. So this case may be transferred to Division Bench. List this case alongwith C.C.A.1414/93 for hearing.

The copy of the order may be given to counsel for the applicant.


A.M.

/m.m./

C.C.A. No. 1474/93 in
OA NO. 970/1992

23-12-997

Hon'ble Mr. Justice B.C. Saxena, V.C.

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

In view of pleadings being complete on record, we find that the respondents have not committed any disobedience of the order of the Tribunal. The contempt petition, therefore, calls for no order. The Applicant has also filed MA No. 3744 of 1997 indicating that the contempt petition has become infructuous. The contempt petition is accordingly dismissed. Notices issued to the respondents are discharged.

2. OA No. 1138/94 is disposed of accordingly and calls for no further order.