

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

ALLAHABAD.

Allahabad this the day 11th September, 1997.

CORAM : Hon'ble Dr. R.K. Saxena, J.M.

Hon'ble Mr. D.S. Baweja, A.M.

CONTEMPT APPLICATION NO. 39 OF 1995.

IN

ORIGINAL APPLICATION NO. 117 OF 1994.

Janak Deo Ram, S/o Late Chotak Ram,
posted as Chaukidar (Suspended)
in 491 (I) Platoon Army Supply Core,
Varanasi, Cantt. at present residing at
A 36/30-7 New Bhadaun Chungi, Rajgaht,
Varanasi.

..... Applicant.

(By Advocate Shri N.N. Lahiri)

Versus

1. S.M. Sharma, Officer Commanding 491(I)
Supply Platoon Army Supply Core, Varanasi.

2. Y.P. Sharma, Officiating Officer,
Commanding 491 (I) Supply Platoon,
Army Supply Core, Varanasi
Cantt.

..... Respondents.

(By Advocate Shri N.P. Singh)

ORDER (ORAL)

By Hon'ble Dr. R.K. Saxena, J.M.

1. The applicant Janak Deo Ram has started these proceedings of contempt against the respondents S.M. Sharma, Officer Commanding 491 (I) Supply Platoon Army Supply Core, Varanasi and U.P. Sharma

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Officiating Officer, Commanding 491 (I) Supply Platoon, Army Supply Core, Varanasi Cantt.

The contention of the applicant in the application is that the Tribunal while disposing of O.A no. 117/94 Janak Deo Ram Versus Union of India and others on 31.1.1994 had directed the respondents to consider the representations of the applicant and to dispose ^{of} ~~of~~ them/with a reasoned and speaking order within a period of two months. It is stated that these directions have not been followed and, therefore, the content of the Tribunal has been committed and they should be punished.

2. The respondents have filed the counter affidavit with the plea that the representations of the applicant were forwarded to the Competent Authority for decision. It is further contended that the respondents had no authority to dispose ~~of~~ ^{of} them/but only Army Head Quarter is competent to dispose of those representations. No rejoinder to controvert these facts has been filed.

3. We find from the record that none is appearing for the applicant after 8.4.1996. The matter was listed on 6.5.1996, 25.6.1996, 4.9.1996, 1.10.1996, 21.11.1996, 14.2.1997, 2.7.1997, 22.8.1997 and today. We did not think it necessary to adjourn the case any further. We have heard Shri N.B. Singh counsel for the respondents.

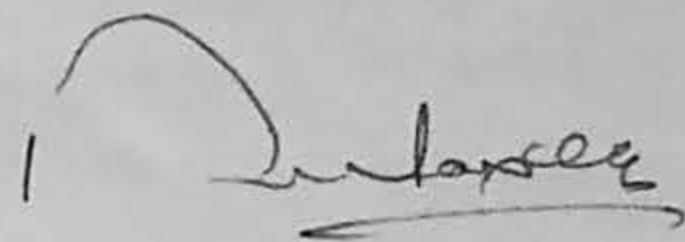
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4. As is already pointed out it has been brought on record by way of counter affidavit that the representations of the applicant were forwarded to the competent authority and the present respondents were not competent to dispose ^{con} them of. This fact remained un^{con}reverted Shri N.B. Singh further informs that the suspension order has been withdrawn on 21.8.1996.

5. In view of these facts we do not find any case of contempt against the respondents. The proceedings are dropped and the notices discharged.


MEMBER (A)


MEMBER (J)

am/