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OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH
ALLAHABAD.

Dated : Allahabad this 5th day of December, 1995.

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

Contempt Application No. 140 of 1995

in

Original Application No. 1666 of 1994.

Shakil Ahmad son of Sri Rais Ahmad,
Resident of 20, Mau Saraiyan, Nyay Marg,
Allahabad. applicant.
(By Advocate Sri V.K.Srivastava)

Versus

Pradeep Bhatnagar,
Chief Marketing Manager,
Northern Railway Baroda House,
New Delhi. Respondent.

O_R_D_E_R (Oral)

(By Hon. Mr. S. Das Gupta, A.M)

Heard Sri V. K. Srivastava, learned counsel
for the applicant.

2. This contempt application has been filed
for alleged violation of the order dated 10.11.1994
by which O. A. No. 1666 of 1994 was dismissed. It is
alleged that certain observations made in the said order
that it would be just and fair on the part of the

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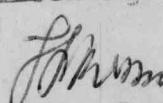
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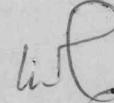
respondents to consider the representations of the applicant, have not been respected.

3. The aforesaid O.A. was dismissed being time barred. However, on noticing that certain representations of the applicant regarding his posting at Allahabad were pending with the respondents, the bench of this Tribunal ^{which} disposed of the O.A. ~~had~~ made an observation that it would be just and fair on the part of the respondents to consider the representations and pass final orders on the same. The Bench however, refrained from giving any direction in this regard and ~~left~~ it to the respondents to act judiciously and with due expedition.

4. It has been averred that the representations of the applicant have not been considered and final orders have not been passed. Therefore, there is contempt of Court of the order of this Tribunal.

5. We have considered the matter carefully. The contempt Court can take ~~up~~ ^{file} only if specific direction is dis-obeyed. Since there ~~is~~ ^{was} no direction passed in this case but, merely an observation ^{was} made, We do not see any violation of the Court's order by the respondents even if they have not considered and disposed of the representations of the applicant. This contempt application is wholly misconceived and is dismissed accordingly. ~~The contempt notice issued to the respondent is discharged.~~


Member-J


Member-A