

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH,
ALLAHABAD.

Dated: This the 22nd Day of April 1999.

Civil Contempt Application No. 23 of 1999.
(Arising Out in O.A. No. 1144/95)

Coram:- Hon'ble Mr.S. Dayal, Member (A.)

Hon'ble Mr.S.L. Jain, Member (J.)

Kameshwar Nath Pandey aged about 46 years
son of Sri Madan Mohan Pandey working as
Sorting Asstt. R.M.S. 'G' Dn. Ballia,
R/O vill. Bandhuchak, P.O. Nagawa
Distt. Ballia.

. . . Applicant.

Versus

Sri P.N. Mishra Senior Superintendent
R.M.S. 'G' Dn. Gorakhpur.

. . . Opp. Party.

Order

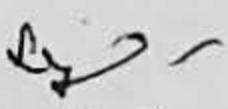
(By Hon'ble Mr.S. Dayal, Member (A.)

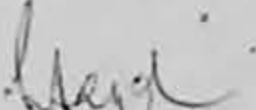
This applicant has made this contempt
petition on the ground that the Opp. party has
in defiance of the order of Tribunal has issued
a fresh chargesheet dated 17.2.99 under rule
16 of C.C.S. C.C.A. rules 1965 without furnishing
the relied upon documents and granting the oral
enquiry and has passed an order of punishment.

2. We find from the contempt petition that the

Opp. Party after receiving order dated 26.5.98 in O.A. 1144/95 passed an order dated 11.9.98 by which they set aside all the orders of punishment and orders in appeal. Thereafter a notice dated 12.11.98 was sent to the applicant and a chargesheet dated 17.2.99 was served upon him under Rule 16 of C.C.S. C.C.A. Rules resulting in order dated 22.3.99.

3. It can not be said that the respondent has deliberately disobeyed the order of the tribunal from a narration of the facts mentioned above. Hence the prayer for initiating the contempt proceedings against the Opp. party is misconceived and can not be allowed. The remedy it appears would lie in filing a fresh O.A. against the order of the respondent in this case.


Member (J.)


Member (A.)

Nafees.