

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH
ALLAHABAD

Allahabad this the 24th day of May 2000.

Contempt Application No. 08 of 2000:

Hon'ble Mr, S.K.I. Naqvi, Judicial Member

Hon'ble Mr. M.P. Singh, Administrative Member

Vijay Kumar, S/o Late Shri Bulaki Lal,

R/o 367, Mohatsimganj, Allahabad.

.....Applicant

C/A Shri R. Verma Advocate

Versus

Col. R. Badrinarayan, Commandant,

Central Ordnance Depot, Chheoki,

Naini, Allahabad.

.....Contemner

IN

O.A. No. 231 of 1998

Vijay Kumar

.....Petitioner

Versus

1. Union of India through the Secretary,
Ministry of Defence, New Delhi.

2. The Commandant, Central Ordnance Depot,
Chheoki, Naini, Allahabad.

.....Respondents

C/R Shri S.C. Tripathi Advocate.

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ORDER

By Hon'ble Mr. S.K.I. Naqvi, JM.

1. This contempt petition has been filed for non compliance of court order dated 16.9.99 in original application no. 231/98 in which the respondents were directed to resettle the claim of the applicant. keeping in view the submission made in Annexure-8 and Annexure-10 to the original application. The opposite party^s has filed CA 1 alongwith the reply which is the order passed allegedly in compliance of court directions as referred above.

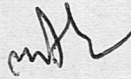
2. We find this order lacks specific mention of annexure A-8 to A-10 to the connected original application and the finding of the ^{Complainant} ~~competence~~ officer there on.

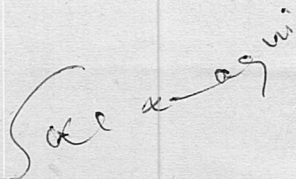
3. The learned counsel for the respondents (opposite party) mentions that this order has been passed in compliance with court order in its ^{words &} ~~detailed~~ spirit and the mention of order is sufficient specifying the reference to referred annexures i.e. annexure A-8 and A-10. We do not ^{agree} ~~anti~~ with this submission. This order ought to have specifically mention^{ed} the facts as given in annexure A-8 and A-10 and there must have been the finding there on if the same was not found acceptable.

See

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4. The next submission of learned counsel for the opposite party (respondent) for another opportunity to pass detailed order bears same force, ^{but} We could not ^{accede} ~~accede~~ to ^{it} ~~but~~ in view of subsequently filed original application no. 350/2000 for same cause of action and therefore this controversy again becomes subjudice and ^{any} further finding may prejudice the pending original application. Therefore, this contempt proceedings ^{is} ~~is~~ dropped with no order as to costs. ^{Issue} ~~Issue~~ ^{of} ~~of~~ Notices to the opposite party are discharged.


Member-A


Member-J

/n.s./