

(Open Court)

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH, ALLAHABAD

Allahabad this the 2nd day of May, 2001

C O R A M :- Hon'ble Mr. S. Dayal, A.M.
Hon'ble Mr. Rafiq Uddin, J.M.

Civil Contempt Petition No. 55 of 2000

IN

Orginal Application No. 755 of 1999

Smt. D.E. Andrews, widow of Late W.E. Andrews
R/o House No. 97 behind T. Anthony Cathedral Near
Khati Baba, Pram Nagar, Jhansi.

.....Petitioner

Counsel for the petitioner :- Sri B.K. Mishra

V E R S U S

P.C. Sharma, Divisional Railway Manager,
Moradabad Division, Moradabad.

.....Opposit Party

Counsel for opposit party :- Sri P. Mathur

Q R D E R (oral)

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

This contempt petition has been filed for alleged
deliberate ^l ^l ~~disobedience~~ by the respondent of order in
O.A No. 755/99 passed on 14.09.99. The applicant has
stated that a copy of order dt. 14.09.99 was sent to
the respondents by registered post on 22.11.99. As more
that six months have elapsed and no action as directed
by this Tribunal in O.A No. 755/99 has been taken by the
respondents, this contempt petition has been filed.

2. We have heard Sri P. Mathur, learned counsel for the respondents. Learned counsel for the applicant is not remain present.

3. The operative portion of the order 14.09.99 is as follows:-

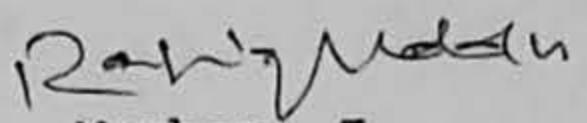
" D.R.M, Northern Railway, Moradabad Division, Moradabad is directed to settle the claim of the applicant within six months from the date of communication of this order along with copy of representation (annexure A- 1) with a reasoned and speaking order. The D.R.M shall also furnish the copy of the order passed by him to the applicant. Copy of this order be given to the counsel for the applicant to present it before the D.R.M along with annexure A- 1. The O.A is finally disposed of with the above direction. "

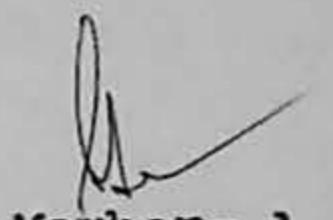
4. The direction given above ~~on~~ two folds. First is that the claim of the applicant may be settled within six months from the date of communication of this order and second is that representation be disposed of within the same time by reasoned and speaking order. The respondents were asked to file counter reply ^{is l} in respect of compliance of order of this Tribunal and by a Suppl. counter affidavit they have filed the order of D.R.M, Moradabad dt. 17.04.01. It has been mentioned in the order dt. 17.04.01 that after enquiry it was found that under item No.4 of settlement register of April, 1968, all payment dues to the applicant's husband were made in time and the husband of the applicant never questioned the inadequacy during his life time. It has also been mentioned that the husband of the applicant was also optee of State Railway Provident Fund and was not entitled to any pensionary benefit and therefore, demand

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of pension made by the applicant is not valid.

5. We dispose of this C.C.P by discharging the notices issued to the respondents and at the same time observe that the plight of the applicant requires consideration by the respondents of her case for ex-gratia pension.


Member- J.


Member- A.

/Anand/