

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH
ALLAHABAD.

Allahabad this the 18th day of December 2000.

Contempt Application no. 65 of 2000
in
Original Application no. 903 of 1996.

Hon'ble Mr. S. Dayal, Administrative Member
Hon'ble Mr. Rafiq Uddin, Judicial Member

Hans Raj Singh, s/o Shri R.P. Singh,
Ex. Airman,
Subguard Room, Air Force Station,
Manauri, Allahabad.

... Applicant

C/A In person

Versus

1. Sri Ram Nath Gupta,
Deputy Commissioner of Income Tax,
Allahabad.
2. Shri Rajeev Deva,
Commissioner, Income Tax,
Allahabad.

... Respondents

C/Rs Shri Ashok Mohiley

O R D E R(Oral)

Hon'ble Mr. S. Dayal, Member-A.

This contempt application has been filed
for punishing the contemner for wilful disobedience
of order dated 4.11.99 communicated by the opposite
parties by application dated 7.12.99.

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2. By order dated 4.11.99 the opposite parties were directed to pass necessary orders for fixation of pensionary benefits of the applicant within 3 months from the date of communication of this order after counting his past Air Force Service rendered by him after deducting amount of gratuity if any received by the applicant from Air Force. The respondent no. 1 has filed CA in which it has been stated the applicant was asked by a letter to submit his papers for fixation of his pensionary benefits. But the applicant has been insisting on counting of his past service for pensionary benefits which has been stayed by Hon'ble High Court and has neither filed his pensionary papers in prescribed proforma nor given any response to the letters written to him. It has also been stated that Hon'ble High Court has stayed the counting of past service of the applicant for pensionary benefits and, therefore, no contempt has been committed.

3. The applicant has not remain present on 15.11.2000 and today. Copy of CA was served on him on 22.1.2000, but he has not filed any RA.

4. Learned counsel for the respondents has asked to furnish copy of the order of Hon'ble High Court which is filed in Suppl. CA today, in which the operation of impugned order dated 4.11.99 to the extent to pensionary benefits to his past Air Force Service is to remain stayed.

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5. Under the circumstances we find that no contempt of Court's order dated 4.11.99 is made out. The Contempt Proceedings are dropped. Notices issued are discharged.

Rajendra
Member-A

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Member-A

/pc/