

(7)
OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH
ALLAHABAD

Allahabad : Dated this 1st day of June, 2001.

Civil Contempt Application No. 85/2000.

In

Original Application No.1092 of 1997.

CORAM :-

Hon'ble Mr. Justice RRK Trivedi, V.C.

Hon'ble Maj Gen KK Srivastava, A.M.

M.Z. Khan S/o Md- Magid Khan,

R/o Loco Colony, Mughalsarai,

District Chandauli.

(Sri SK Dey/Sri SK Mishra, Advocates)

. Applicant

Versus

Sri J.P.N. Sharma,

DME(P) E. Rly, Mughalsarai,

District Chandauli. Respondents

(Sri G.P. Agrawal, Advocate)

O R D E R (O_r_a_l)

By Hon'ble Mr. Justice RRK Trivedi, V.C.


This Tribunal by order dated 06-9-1999 passed in OA No.1092/1997 fixed the damage rent for the period 10-5-1993 to 24-4-1997 @ Rs.56/- per month. It appears that the damage rent was realised by the respondents at higher rate. Thus, the applicant became entitled for refund of excess amount paid. Sri SD Kapoor, appearing for the respondent has placed before us the instructions given to him wherein it has been stated that the bill for refund of damage rent has been passed by Accounts Office for Rs.4152/- vide CO-7 No.031586 dated 16-1-2001. It has also been stated that the applicant has been advised to




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take amount from the Cashier at Mughalsarai vide office letter dated 30-1-2001 sent under registered cover. A copy of the letter has also been placed.

2. Sri SK Dey, counsel for the applicant, however, submitted that the applicant has not received the amount as yet. As the bill has already been passed and the applicant has been advised to collect the amount, we see no difficulty before the applicant in receiving this amount. As the order has been complied with, we do not find any justification to continue this contempt application. Accordingly the contempt application is rejected. Notice issued to the respondent is discharged. The papers filed by Sri SD Kapoor, Advocate, on behalf of the respondents shall form part of record. There shall be no order as to costs.


Member (A)


Vice Chairman

Dube/