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OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH,
ALLAHABAD.

Dated: Allahabad, the 18th day of April, 2001.

Coram: Hon'ble Mr. Rafiq Uddin, JM

Hon'ble Mr. S. Biswas, AM

CIVIL CONTEMPT APPLICATION NO. 88 OF 2000

V.B. Shama,

s/o Late Krishna Murari Lal,

r/o B-564, Kamla Nagar, Agra.

. Applicant

(By Advocate: Sri H.S. Srivastava)

Versus

Sri K. S. Chahar,

Garrison Engineer (East),

Allahabad.

. Respondent

In

ORIGINAL APPLICATION NO. 313 OF 1997

V.B. Shama Applicant

Versus

Union of India and others Respondents

ORDER (ORAL)

(By Hon'ble Mr. Rafiq Uddin, JM)

This Tribunal vide order dated 5.1.99 as amended vide order dated 27.9.99 passed in O. No. 313 of 1997 directed the respondents to refund a sum of Rs. 34,390/- along with interest @ 12% per annum and also to pay a sum of Rs. 650/- towards legal practitioner

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fee and legal expenses. The applicant has filed the present Contempt Petition for punishing the respondent for not complying the aforesaid order.

2. The learned counsel for the applicant Sri H.S. Srivastava has conceded that the applicant has already received a sum of Rs.34,390/- along with interest @ 12% per annum. He is, however, not aware whether a sum of Rs.650/- towards fee and expenses has been received by the applicant or not. We, however, find from the order dated 20.9.2000 of Ministry of Defence addressed to the Chief of the Army Staff a copy of which has been annexed along with CA by the respondent that the President has sanctioned the aforesaid amount of Rs.650/- also to be paid to the applicant.

3. Under the facts and circumstances of the case, we do not find any case for proceeding against the respondents ^{under} in the Contempt of Courts Act. Consequently, contempt proceedings are dropped. Notices are discharged.

S. B. B. A.M.

R. V. M. J.M.

Nath/