

(Open Court)

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH, ALLAHABAD.

Allahabad this the 07th day of January, 2003.

Contempt Petition No. 114 of 2002.

(O.A No. 714 of 1998)

Hon'ble Mr. Justice R.R.K. Trivedi, Vice-Chairman.

Hon'ble Maj. Gen. K.K. Srivastava, Member- A.

Pramod Kumar Jha S/o Sri Suyodhan Jha  
a/a 50 years. Presently working as Stores Khalasi  
under Senior Section Engineer (Track) Junghai under  
Divisional Railway Manager, Northern Railway,  
Lucknow Division, Lucknow.

.....Applicant

Counsel for the applicant :- Sri A.K. Dave

V E R S U S

1. R.K. Singh, General Manager, Northern Railway,  
Baroda House, New Delhi.
2. Kamlesh Gupta, Divisional Railway Manager,  
Northern Railway, Hazratganj, Lucknow.
3. Smt. Renu Sharma, Sr. Divisional Personnel Officer,  
Northern Railway, Lucknow.
4. B.P. Srivastava, Divisional Personnel Officer,  
Northern Railway, Lucknow.

..... Respondents

Counsel for the respondents :- Sri A.K. Gaur

O R D E R (Oral)

(By Hon'ble Mr. Justice R.R.K. Trivedi, V.C.)

By this application under section 17 of  
Administrative Tribunals Act, 1985, applicant has  
prayed to punish respondents 1 to 4 for contempt of  
this Tribunal by disobeying <sup>the</sup> ~~of~~ order dated 03.08.2001  
passed in O.A No. 714/98. The direction given by the  
Tribunal was as under :-





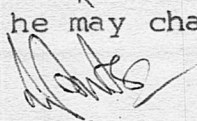
" For the above, the respondents are directed to reconsider the matter and pass appropriate order after giving an opportunity of being heard to the applicant. It be done within three months from the date of communication of this order. The O.A stands disposed of accordingly. No costs."

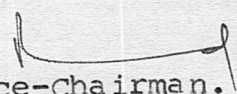
2. In pursuance of the aforesaid direction of the Tribunal Sri B.P. Srivastava, Divisional Personnel Officer (respondent No. 4) passed the order on 12.06.2002, a copy of which has been filed as annexure- 1 to the counter reply filed by Sr. Divisional Personnel Officer, Northern Railway, Lucknow (respondent No. 3).

3. The grievance of the applicant is that though he was given a notice on 11.01.2002 to appear personally before respondent No. 4 on 12.02.2002 at 10.00 AM. and <sup>in</sup>pursuance of the notice, applicant appeared but he was not heard and was sent back only saying that he will be heard personally later on. Contrary to it in the order dated 12.06.2002 it has been mentioned that the applicant was given opportunity of personal hearing and then order has been passed. Counter has been filed by respondent No. 3 in para 10 where<sup>of</sup> it has been stated that the order of this Tribunal has been fully complied with in letter and spirit. To corroborate the averments made in para 10 of the CA, a copy of the order dated 12.06.2002 has been filed alongwith counter wherein it has been stated that opportunity of personal hearing has been given to the applicant..

4. In the facts and circumstances mentioned above we do not find that any case of contempt is made out. The application has no merit and is accordingly dismissed. Notices issued to the respondents are discharged. However, if the applicant <sup>is</sup>dis-satisfied with the order of the respondents, he may challenge the same on original side.

/Anand/

  
Member- A.

  
Vice-Chairman.