

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

Allahabad, this the 17th day of September, 2003.

QUORUM : HON.MR.JUSTICE R.R.K. TRIVEDI, V.C.
HON. MR. D. R. TIWARI, A.M.

CCA 160 of 2002 in O.A. No.38 of 2002

Surendra Nath Singh S/O Late Barmeshwar Singh R/O Village
and Post Bairiya, District Ballia.....Applicant.

Counsel for applicant : Sri S.K. Singh.

Versus

1. Mr. ING Khan, Chief Post Master General, Head Post
Office, Lucknow.

2. Mr. Jokhu Singh, Superintende-nt of Post Offices,
Ballia Division, Ballia.....Respondents.

Counsel for respondents : Sri A. Sthalekar.

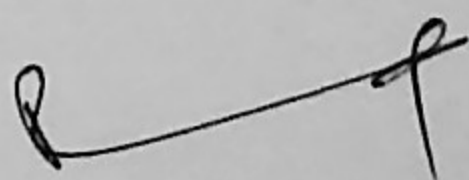
O R D E R

BY HON.MR.JUSTICE R.R.K. TRIVEDI, V.C.

By this application filed under section 17 of A.T. Act, 1985, applicant has prayed to punish respondents for wilful disobedience of the order of Tribunal dated 22.1.02 passed in O.A. No.38/02. The direction given was as under :-

"...With the consent of both the parties, the O.A. is finally disposed of at admission stage with a direction to the respondents department to decide the applicant's representation dated 08.09.98 by a speaking order within a period of 3 months from the date of receipt of the order. There shall be no order as to costs."

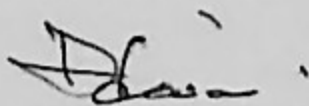
2. In pursuance of this order, it appears that the respondents issued notice to applicant to fill up the necessary forms for payment of ex-gratia gratuity and other amounts. The father of applicant was serving as EDDA in Branch Post Office, Pandeypur, Ballia. He died on 10.6.95. Respondents have passed order on 8.1.03 stating that the applicant refused to fill up the form. He used unparliamentary language against the employees




and also indulged in Maarpeet for which FIR has been lodged against him under section 332/504/506 IPC and 3(1) 10 SC ST Act which has been registered as Crime No.52/2000 at Police Station Bairiya. From the perusal of the order dated 8.1.03 it appears that necessary formalities has not been completed by the applicant. On the other hand, case of the applicant is that he has already submitted the documents and filled up necessary forms on the demand of respondents but the respondents are arbitrarily avoiding payment.

3. In these proceedings it is difficult for us to decide this controversy. As father of the applicant had ~~already~~ died on 15.6.95 and a long delay has already taken place, in our opinion the ends of justice shall be better served if the applicant is given one more opportunity by Superintendent of Post Office, Ballia Division, Ballia on production of a copy of this order. This application is accordingly disposed of finally with liberty to applicant to approach Superintendent of Post Office, Ballia Division, Ballia with copy of this order within three weeks. The applicant shall fill up the forms and also submit the requisite consent of other heirs. If the form is completed by applicant within three weeks, the ~~unecessary~~ ^{due} payments ^{shall} be made within three months to the heirs of Late Barmeshwar Singh.

Subject to aforesaid, this application is disposed of, and the notices are discharged. ^{no cost}


A.M.


V.C.

Asthana/