

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH : ALLAHABAD

MISC. CONTEMPT PETITION NUMBER 194 OF 2002

IN

ORIGINAL APPLICATION NUMBER 1035 OF 2002

TUESDAY, THIS THE 11th DAY OF FEBRUARY, 2003

HON'BLE MR. JUSTICE R.R.K. TRIVEDI, VICE-CHAIRMAN  
HON'BLE MAJ GEN K. K. SRIVASTAVA, MEMBER (A)

Smt. Tejinder Varshney,  
w/o Shri K.K. Varshney,  
r/o E/o 66(68-A/2), Stanly Road,  
Mumfordganj,  
Allahabad.

.....Applicant

(By Advocate : Shri V.K. Goel)

V E R S U S

Shri K.N. Yadav,  
s/o Not known  
working as Station Director,  
All India Radio,  
Allahabad.

.....Respondent

(By Advocate : Shri S. Narain & Shri G.R. Gupta)

O R D E R

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

This application under section 17 of Administrative Tribunals Act, 1985 has been filed for punishing the respondent for committing contempt of this Tribunal by wilful disobedience of the direction contained in order dated 12.09.2002 passed in O.A. No.1035/2002. The direction

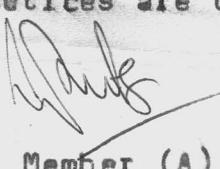
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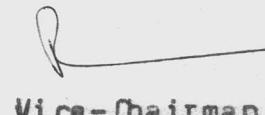
was as under:-

"The said representation shall be given within a period of one week from the date of receipt of copy of this order. The respondents shall consider the same and pass a detailed and reasoned order within a period of 3 weeks from the date of receipt of the representation. Till such exercise is completed, since the applicant has made a specific averment in para-9 of the O.A. that she has still not been relieved from the post of Programme Executive at Allahabad, the applicant shall be allowed to continue at the same place."

2. It is not disputed that in pursuance of the aforesaid order, applicant filed representation which has been considered and decided by order dated 21.10.2002, which has been challenged by applicant by filing O.A. No.1331/2002, which is pending in this Tribunal. Thus, legal position at present is that the interim order which was granted in favour of applicant while deciding O.A. No.1035/2002 has come to an end. Counter Affidavit, Rejoinder Affidavit and Supplementary Affidavit have been filed by the parties raising allegations against each other. We do not see that any useful purpose shall be served in deciding this matter, as the <sup>main</sup> controversy between the parties is pending in O.A. No.1331/2002. Parties may get their right <sup>settled</sup> in the O.A. and rejection of this contempt application shall not come in the way of either party in that O.A.

3. Considering the facts and circumstances narrated above, we do not find it a fit case for interference. The application is accordingly disposed off with no order as to costs. Notices are discharged.

  
Member (A)

  
Vice-Chairman

shukla/-