

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

Allahabad, this the 12th day of November, 2003.

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

CCA No.203 of 2002 in O.A. No.137 of 1996

Raj Kishore Sharma S/O Late Shri Jhansi R/O 204/4, Shastri
Nagar, Kanpur.....

Counsel for applicant : Sri K.K. Mishra.

Versus

Vigyan Shankar, General Manager, Ordnance Factory, Kanpur.
..... Respondent.

.....

Counsel for respondent : Sri A. Sthalekar.

ORDERBY 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 respondent for wilful disobedience of the order dated 17.1.2002 passed in O.A. No.137 of 1996. The direction was to the following effect :-

"For the reasons stated above, the impugned order No.858 of 14.3.1995 is quashed. The applicant shall be deemed to have been reinstated during the entire period the earlier order of removal dated 3.12.1979 was in effect (except for the period 25.8.1989 to 8.9.1989) and shall be paid pay and allowances for which he would have been entitled under rules. The amounts which are due to the applicant shall be paid to him within a period of six months after deducting the amount already paid. There will be no order as to costs."

2. Respondents have filed counter reply saying that no contempt has been committed and in para 16 of the counter it has been stated that the suspension relates to the period from 4.11.1978 to 20.9.1991 i.e. about 24 years and some more time is required for calculating the payments due to the applicant under order of this Tribunal. In para 17 of the



counter reply it has been stated that for the period from 4.11.78 to 20.2.91 towards difference of pay and allowance was already paid. For the remaining amount a cheque of Rs.72,899/- of Aug.18,2003 has been given to the applicant towards full and final payment. Counsel for respondents has submitted that the entire amount due to the applicant has been paid and nothing is now due and direction of this Tribunal has been fully complied with. In support of his submission, counsel for respondents has placed before us a copy of the cheque and the calculation sheet ^{with} the letter dated 27.8.2003. The document shall be kept on record.

3. Considering the aforesaid document, in our opinion, order of this Tribunal has been complied with. There is no question of any contempt. Contempt application is dismissed. Notices are discharged.

No order as to costs.

A. M.
A.M.

V.C.
V.C.

Asthana/