

(5)

C.C.P.243/02  
in  
O.A.No. 1898/94

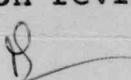
13.08.2003

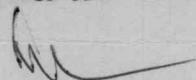
Hon. Maj Gen K.K.Srivastava, Member A

Hon'ble Mrs. Meera Chhibber, Member J

Shri Radhey Shyam holding brief of Shri B.N.Singh, learned counsel for the applicant. Km.Renu Singh, holding brief of Shri A.K.Gaur, learned counsel for the respondents.

Applicant has filed this Contempt Petition for non-compliance of the order dated 14.1.1999 passed by this Tribunal in O.A.No. 1898 of 1994. When the matter was called out, counsel for the respondents informed us that vide order dated 28.5.1999 Hon'ble High Court of Allahabad was pleased to stay the operation of order dated 14.1.1999. The said writ petition was dismissed in default on 08.1.2002 but on an application moved by the petitioner <sup>Writ petition</sup> ~~Writ petition~~ <sup>by recalled</sup> for restoration, Hon'ble High Court has ~~revived~~ the order dated 28.5.2002 meaning thereby that the position as on 28.5.1999 is revived. In view of the above position no purpose would be served by keeping this Contempt Petition pending here any longer as ultimately both the parties would be bound by the orders passed by Hon'ble High Court in the Writ Petition. Therefore, this Contempt Petition is dismissed as not maintainable for the time being and the notices issued to respondents are discharged. However, <sup>Wish</sup> ultimately if it/still felt that Contempt Petition needs to <sup>be proceeded B</sup> ~~be proceeded B~~ <sup>after B</sup> ~~after B~~ be produced with us <sup>are</sup> ~~as far as~~ final orders passed by the Hon. High Court, applicant would be at liberty to get this Contempt Petition revived by filing an M.A..

  
Member J

  
Member A

Brijesh/-