

CCP No.254/02

OA 601/95 &  
OA 1186/93

11.9.2003

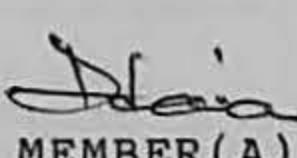
HON.MR.JUSTICE R.R.K.TRIVEDI,V.C.

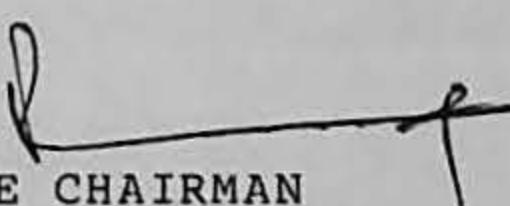
HON.MR.D.R.TIWARI, MEMBER(A)

Heard Shri Sudama Ram counsel for applicant and Shri A.K.Pandey counsel for respondents.

By this application u/s 17 of A.T.Act 1985 applicant has prayed to punish Shri Mathew John, D.R.M. Northern Railway Allahabad and Shri Ganga Prasad, Divisional personnel Officer, Northern Railway Allahabad for non compliance of the order dated 23.2.01 passed In OAs No.601/95 & 1186/93.

Shri A.K.Pandey counsel for respondents has filed counter and raised the objection that this contempt application against the present respondents is not legally maintainable as they were not party in the OAs No.601/95 & 1186/93. The objection raised appears to be justified. The respondents cannot be held guilty for the direction given in an OA in which they were not party. There is no question of any contempt in the circumstances. This contempt application is accordingly rejected. Notices are discharged. No order as to costs.

  
MEMBER(A)

  
VICE CHAIRMAN

Uv/