

CCA 03/02

OA 1005/94

17.1.2002

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

HON.MAJ.GEN.K.K.SRIVASTAVA, MEMBER(A)

We have heard Shri S.R.Singh counsel for the applicant.

This contempt application u/s 17 of A.T.act 1985 has been filed for punishing the respondents for not complying with the order of this Tribunal contained in order dated 30.10.2000 passed in OA No.1005/94. The direction was to pay the arrears to the applicant within a period of three months. It is submitted that respondent no.2 on 23.1.01 directed the respondent no.1 to implement the judgement and pay the amount due to the applicant immediately but the respondent no.1 has not complied with the order inspite of instructions from the superior authorities. It is also submitted that applicant has approached respondent no.1 several time but he is not prepared to hear the request.

In the facts and circumstances we are satisfied that respondent no.1 has <sup>✓</sup> ~~is~~ <sup>prima facie</sup> committed wilfull disobedience of the order of this Tribunal and guilty of contempt.

Admit. Issue notice to the respondent No.1 Shri P.K.Srivastava, Assistant Divisional Engineer, Northern Railway, <sup>Prayag,</sup> Allahabad as to why he may not be punished for committing contempt. List on 18.3.02 on which date respondent no.1 shall appear in person or through counsel.

MEMBER(A)

VICE CHAIRMAN

Uv/

OR  
Notice issued on 18.2.02

H.S.

Dt. 15.09.02

Hon'ble Mr. G. S. Chaudhary, AM

Hon'ble Mr. A. K. Bhattacharya, J.M.

Case taken up in revise list. None  
for the applicant. Sri P. Mather, counsel  
for the respondents states that "payment  
has already been sanctioned and  
~~will~~ would have been ~~made~~ made  
by now. Since there is no representation  
by the applicant, his contents petition  
is 'dropped' with direction to the  
respondents to ensure that the payment  
<sup>as sanctioned</sup> has already been made, ~~will~~ will be  
made within next 15 days. Notice  
issued to the respondents are  
discharged.

*G. S. Chaudhary*  
J.M. AM

CCP No. 3102  
in  
OA No. 1005/94

18.3.02

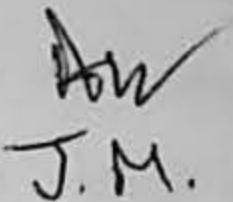
Hon. Mr. S. Dayal, A.M.

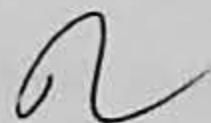
Hon. Mr. A.K. Bhatnagar, J.H.

Sri S.R. Singh, counsel for applicant and Sri P. Mathur, counsel for respondents. Counsel for the applicant states that he has received a copy of Counter reply. Counsel for respondents claims that the compliance has been done. Counsel for the applicant refuse that he has verified from the applicant today that he has not received any payment till date. Counsel for applicant is allowed one week time to file rejoinder. List this case on 15.4.02. The registry may list the wise. application filed along with counter reply on the next date.



A.M.

  
J.M.



(X)

CCA 03/02

OA 1005/94

17.1.2002

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

HON.MAJ.GEN.K.K.SRIVASTAVA, MEMBER(A)

We have heard Shri S.R.Singh counsel for the applicant.

This contempt application u/s 17 of A.T.act 1985 has been filed for punishing the respondents for not complying with the order of this Tribunal contained in order dated 30.10.2000 passed in OA No.1005/94.

The direction was to pay the arrears to the applicant within a period of three months. It is submitted that respondent no.2 on 23.1.01 directed the respondent no.1 to implement the judgement and pay the amount due to the applicant immediately but the respondent no.1 has not complied with the order inspite of instructions from the superior authorities. It is also submitted that applicant has approached respondent no.1 several time but he is not prepared to hear the request.

In the facts and circumstances we are satisfied that respondent no.1 has ~~prima facie~~ committed wilfull disobedience of the order of this Tribunal and guilty of contempt.

Admit. Issue notice to the respondent No.1 Shri P.K.Srivastava, <sup>Prayag,</sup> Assistant Divisional Engineer, Northern Railway Allahabad as to why he may not be punished for committing contempt. List on 18.3.02 on which date respondent no.1 shall appear in person or through counsel.

MEMBER(A)

VICE CHAIRMAN

Uv/