

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD

Civil Misc. Contempt Application No.37 of 2002

in

Original Application No.1557 of 2001

Wednesday, this the 29th day of January, 2003

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

Hon'ble Maj. Gen. K.K.Srivastava, A.M.

Upendra Kumar Jain

Son of Late S^{ri} Mahabir Prasad Jain

Resident of Raipur Road, Deal Main Gate,
Adjoiwala, Dehradun.

... Applicant.

(By Advocate : Shri C.S.Singh)

VERSUS

1. Shri Subir Dutta,
Secretary (D.P.),
Ministry of Defence,
Department of Defence (Production)
South Block, Room No.136,
DHQ P.O. New Delhi - 110011.
2. Shri R.K.Saroj,
Senior Accounts Officer (P)
O/o P.C.D.A. (P), Allahabad.
3. Shri V.K.Misra, D.A.S.
Principal Controller of Defence
Accounts (Pension) Drupadi Ghat,
Allahabad.
4. LT..Gen M.K.Chari
The Director General of Quality Assurance
South Block, D.H.Q. Post Office,
New Delhi.110011.
5. Brig. Chandra Prakash
Controller, Controllerate of
Quality Assurance (Instrument)
Raipur, Dehradun - 248008 (Uttanchal).

....Respondents.

(By Advocate : Shri S.Chaturvedi)

ORDER (ORAL)

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

By this application filed under Section 17 of A.T.


Contd...2.

Act, 1985, the applicant has prayed to punish the respondents for wilful dis-obedience of interim order dated 3.1.2002 passed in OA No.1557/01. However, the OA has been finally decided by order dated 26.4.2002. Against final order the respondents have filed Writ Petition before Hon'ble High Court, which is pending as Writ Petition No.21133/02. In the Writ Petition an interim order has been passed to the effect that until further orders respondents shall give provisional pension to the applicant. Thus, the final order of this Tribunal has been ~~completely~~^{thoroughly} replaced by interim order passed by the High Court.

2. In the circumstances, we do not find ^{that} any case of contempt has been made out by the applicant. The contempt application is rejected. Notices are discharged.

No order as to costs.


A.M.


V.C.

RKM/