

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

CIVIL CONTEMPT PETITION NUMBER 56/02
IN

ORIGINAL APPLICATION NO.638/2000

ALLAHABAD, THIS THE 12th DAY OF AUGUST, 2004

HON'BLE MR. A.K. BHATNACAR, MEMBER(J)
HON'BLE MR. S. C. CHAUBE, MEMBER(A)

Suresh Kumar Kushwaha aged about 31 years
s/o Shri Ram Lal Kushwaha r/o 164/2,
Mohalla Tallaiya District-Jhansi.

.....Applicant

(By Advocate : Shri A. K. Srivastava
Shri A.K. Dave)

VERSUS

1. Mrs. Mala Sinha, Principal Director of Audit, Central Railway, Mumbai CST-400 001.
2. Mr. P.C. Jain, Senior Audit Officer, (Administration), Central Railway, Mumbai, CST-400 001.
3. Mr. R.K. Bajaj, Senior Divisional Audit Officer, Central Railway, Jhansi.

.....Respondents.

(By Advocate : Shri P. Mathur)

ORDER

By Hon'ble Mr. A.K. Bhatnagar, J.M.

contempt
This application has been instituted for wilful
disobedience of the order dated 19.07.2001 passed in O.A.
No.638/2000 by which the following order was passed:-

"The O.A. is accordingly allowed. Impugned order dated 25.05.2000(Annexure A-I) is quashed. Applicant shall be entitled for re-engagement with all consequential benefits. Order shall be given effect within one month and consequential benefits shall be paid to the applicant within three months from the

WV

.....2/-

date a copy of this order filed. However, it shall be open to the respondents to pass fresh order in accordance with law after giving opportunity of hearing to the applicant.

There will be no order as to costs."

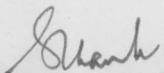
2. Notices were issued vide order dated 18.04.2002.

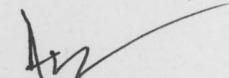
Learned counsel for the respondents Shri P. Mathur filed compliance affidavit on behalf of the respondents in the court today after serving a copy of it on the applicant's counsel. He has invited our attention on para-3 of the affidavit and submitted that applicant had already been reinstated in service vide order dated 17.04.2003 to group 'D' post and has started functioning as such w.e.f.

23.04.2004 (Annexure -I). The applicant has assumed the charge of his respective post on 23.04.2004. He has also invited our attention on para-5 of the affidavit, which shows that a sum of Rs.1,37,627/- had already been paid to the applicant as arrears of consequential benefits, which was duly acknowledged by the applicant (Annexure-II & III).

Accordingly, the order passed by this Tribunal have been duly complied with. Learned counsel for the applicant also ~~fairly conceded~~ considering that the orders have duly been complied with.

Therefore, the Contempt Petition is rejected. Notices issued to the respondents are discharged. No costs.


Member (A)


Member (J)

shukla/-