

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

CIVIL CONTEMPT APPLICATION No. 59 of 2002

IN

ORIGINAL APPLICATION No.939 of 1994

Allahabad, this the 25th day of September, 2002

Hon'ble Maj Gen K K Srivastava, Member (A)

Hon'ble Mrs. Meera Chhibber, Member (J)

Shri B. N. Dwivedi

.....Applicant

By Advocate Shri A.B.L. Srivastava

V E R S U S

Shri Mathew John,
Divisional Railway Manager,
Northern Railway,
Allahabad Division,
Allahabad.

.....Respondent

By Advocate Shri A.K. Gaur

O R D E R

Hon'ble Maj Gen K K Srivastava, Member (A)

This Contempt Petition has been filed under section 19 of A.T. Act, 1985 for punishing the respondent for wilful disobedience of the order of this Tribunal dated 26.04.2001 passed in O.A. No.939 of 1994. The Tribunal passed the following order:-

"The O.A. is accordingly disposed of finally with the liberty to applicant file a consolidated representation before respondent No.2 within a

month, which shall be considered and decided within the period of three months from the date a copy of this order is filed before him. However, there will be no order as to costs.

2. The applicant filed a detailed representation on 29.05.2001 which has been decided by order dated 01.08.2001.

The applicant has filed the same as Annexure CCA-3. We have perused the same and ^{as we find that the} it is a detailed order.

3. Shri A. B. L. Srivastava, learned counsel for the applicant argued that this order dated 01.08.2001 has been passed in cryptic manner and the issue raised has not been decided. The issue before us is whether the respondent has complied with the order of this Tribunal or not.

4. In the Contempt Petition we are not supposed to go into the merits of the original O.A. In our opinion, the order of this Tribunal has been complied with and no case of contempt is made out. However, if the applicant is aggrieved by the decision of the respondent, he may challenge the same on the original side.

5. The Contempt Petition is rejected. Notice issued earlier, is discharged. No costs.



Member (J)



Member (A)

shukla/-