

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD.

Dated : This the 27th day of MAY 2002

Contempt Application no. 86 of 2002
in
Original Application no. 1016 of 1999.

Hon'ble Maj Gen K.K. Srivastava, Member (A)
Hon'ble ~~ME~~. A.K. Bhatnagar, Member (J).

Mahendra Singh, S/o Sri Bhagwan Das,
R/o Near Hanuman Mandir, Railway System Technical School,
JHANSI.

... Applicant

By Adv : Sri Sanjay Srivastava

Versus

Sri Rajeev Bhargav, Divisional Railway Manager,
Central Railway, Jhansi.

... Respondent.

By Adv : ...

O R D E R


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

In this contempt application, filed under section 17 of the A.T. Act, 1985, the applicant has prayed that the respondents be punished for not ^{by want of} implementing the order of this Tribunal ^{by} dated 31.5.2001. In para 6 of the order dated 31.5.2001 the direction was given as under:-

"Under the facts and circumstances of the case it is provided that the applicant may submit his settlement form etc. as indicated in the letter dated 3.1.97 of DRM(P) for payment of settlement dues, which will be considered by the respondents expeditiously as per rules."

2. In the contempt application, the applicant in para

...2/-




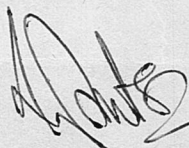
2.

7 has averred that the applicant submitted settlement form/ GP 46, on 3.6.2001 by hand in the office of the respondents alongwith true copy of the order of this Tribunal. However, learned counsel could not produce any document on record to prove that the applicant has submitted the Settlement Form/GP 46 on 3.6.2001. In absence of any documentary ~~proof~~ on record about the delivery of the said form, we are not in a position to proceed. Learned counsel for the applicant has also placed before us, the copy of the order dated 3.12.2001 of Hon'ble Allahabad High Court, directing the applicant to take appropriate proceedings before the Tribunal, which is taken on record. Instead of taking any action immediately after the order of Hon'ble Allahabad High Court was delivered, the applicant has filed this contempt application only on 15.5.2002. It would have been appropriate for the applicant to have ⁱⁿ obtain^{ed} the acquittance from the respondents' office in token of delivery of the document referred ^{to} above.

3. In the facts and circumstances, in our opinion no case of contempt is made out. The contempt application is dismissed in limine.

4. There shall be no order as to costs.


Member (J)


Member (A)

/pc/