

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 29TH DAY OF MAY, 2002

Civil Contempt Application No.94 of 2002

In

Original Application No.1044 of 1998

CORAM:

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

HON.MR.S.DAYAL, MEMBER(A)

1. Smt.Kamlesh, wife of Late  
Barey Lal, resident of Hassari  
Gwaltoli, Jhansi.
- 2.Lalta Prasad, son of Late  
Shri Barey lal, resident of  
Hassari, Gwaltoli, Jhansi

... Applicant

versus

A.F.Anthony, Garrison Engineer,  
MES, Cantonment, sadar Bazar,  
Jhansi.

... Opp. party

O R D E R

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

This application u/s 17 of A.T.Act 1985 has been filed for punishing respondents for committing contempt of this Tribunal.

The facts in short as disclosed in the application are that that the applicant no.2 applied for compassionate appointment after death of his father Barey Lal who died in harness on 10.10.1989. Barey Lal was serving as Mate in MES department at Jhansi. When the appointment was not made applicants filed OA No.1044/98 which was disposed of finally by this Tribunal by order dated 28.11.01 by following order:

∴ Since the application is said to have




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been made by the applicant and were not received by the respondents, the applicant is allowed 4 weeks time to file application alongwith copy of this order and the respondents are directed to consider the same within a period of 3 months from the date of receipt of copy of representation and pass appropriate order on the same."

In pursuance of the aforesaid order representation of the applicants have been decided by order dated 28.8.01. in para 8 of the order it has been stated that the case of the applicant has been considered appropriately and is being forwarded to Headquarter alongwith other candidates whose name appeared in the merit list prepared by the Board of Officers. ~~The last paragraph of~~ has been mentioned that as the order of this Tribunal has been complied with and representation has been decided, <sup>we</sup> do not think that any contempt of this Tribunal

has been committed. Shri Nigam, however, submitted that the order was passed on 28.8.01. More than 8 months have passed, no action has been taken. But on this basis proceedings for contempt cannot be initiated against the respondents. There was no direction by this Tribunal with regard to follow up action. The only direction was to decide representation which has been complied with..

In the circumstances, the contempt application is rejected. No order as to costs.

  
MEMBER(A)

  
VICE CHAIRMAN

Dated: 29th May, 2002