

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

Civil Contempt Petition No. 181 of 2003

Friday, this the 16th day of January, 2004

Hon'ble Maj. Gen. K.K.Srivastava, A.M.
Hon'ble Mr. A.K. Bhatnagar, J.M.

Ram Chandra,
Son of (late) Raj Mangal,
Head Trolley Man (Retired)
Village Farenda Khurd
Post - Farenda,
District - Maharajganj.

....Applicant.

(By Advocate : Shri R.K. Mishra)

Versus

1. B.K. Datta,
Divisional Railway Manager (DRM),
North Eastern Railway, Lucknow.
2. Rajesh Kumar Mehta,
Senior Divisional Engineer (II)
North Eastern Railway,
Lucknow.
3. N.K. Chawdhary,
Assistant Engineer
(West) North Eastern Railway,
Gorakhpur.
4. D.P. Agrahari,
Section Engineer Track,
North Eastern Railway,
Anand Nagar,
Gorakhpur.
5. Om Prakash,
General Manager,
North Eastern Railway,
Gorakhpur.

....Respondents.

(By Advocate : Shri K.P.Singh)

ORDER

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

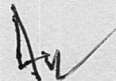
This contempt petition has been filed to punish the
respondent for wilful dis-obedience of the order of this Tribunal

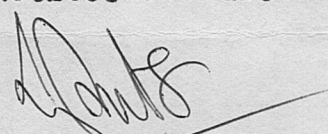
dated 13.12.2002 passed in O.A. No.420 of 2002. The notice was issued to respondent No.1 on 14.11.2003.

2. Shri K.P.Singh, learned counsel appeared for respondent No.1 and filed the counter affidavit annexing the order dated 5.12.2003 as Annexure-I to the counter affidavit. By order dated 13.12.2002, the respondent No.2 was directed to decide the representation of the applicant by reasoned order within a period of three months from the date of receipt of the copy of the representation.

3. As per para-3 of the contempt petition, the applicant filed the representation on 24.12.2002. We would like to observe here that the respondent failed to decide the representation of the applicant within the time prescribed by the Tribunal. However, since the representation of the applicant has been decided by a detailed and reasoned order dated 5.12.2003 (with delay), In our opinion, there is no wilful dis-obedience on the part of the respondent No.1. The applicant may not be satisfied with the order dated 5.12.2003 and he may pursue the matter as per law. *so advised*

4. In view of the above, no case of contempt is made out. Contempt Petition is rejected. Notices are discharged.


Member-J


Member-A

RKM /