

Reserved

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH ALLAHABAD**

\*\*\*\*\*

(THIS THE 09<sup>th</sup> DAY OF December 2010)

**Hon'ble Dr.K.B.S. Rajan, Member (J)**  
**Hon'ble Mr. S. N. Shukla, Member (A)**

**Civil Misc. Contempt Petition No.20 of 2003**  
(Arising out of Original Application No.1215 of 1998 )

1. Satish Kumar Singh, aged about 22 years, S/o Shri Babban Singh, R/o Village-Cheta, Chhapra, Post-Raniganj Bazar, District-Ballia.
2. Hira Kumar Verma aged about 23 years, S/o Shri Ramji Prasad, R/o Village-Ranigan Bazar, District-Ballia.

..... Applicants

**By Adv. : Shri Rakesh Verma**

**Versus**

Shri Y.N. Dhawan, Chairman, Railway Recruitment Board, Annexe Building, Nawab Yusuf Road, Allahabad.

..... Respondent

**By Adv.: Shri P. Mathur, Advocate**

**ORDER**

**(Delivered by Hon. Dr. K.B.S. Rajan, Member-J)**

The order which has been passed In Civil Misc. Contempt Petition No.257 of 2002 in O.A. No.1215 of 1998 shall apply in the present case as well and said order is as under:-

*This contempt petition has been filed by one of the applicants in the OA against Chairman Railway Board for alleged deliberate non compliance of order dated 6.3.2002 in OA No. 1215/1998. Initially as early as on 7.1.2002 notice was issued. Subsequently a review application has been filed by the respondents keeping in view the same the contempt petition was listed along with the review petition. Order dated 16.7.2003 refers . Thereafter it was as late as on 7.9.09 that the case once again came up when also*

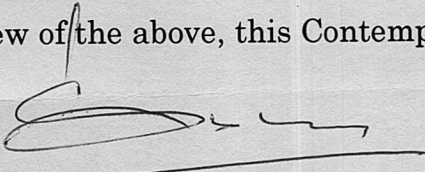


*the review application was directed to be listed along with the contempt application.*

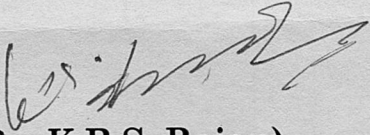
*The review application filed by the respondents as well as the contempt application filed by the applicant have been heard together and this Tribunal has by a separate order dismissed the review petition.*

*S the non compliance of the order of this Tribunal if on account of the fact that the review application has been kept pending, we are of the view that though there is non compliance the same shall not in any way be construed as deliberate non compliance. Contempt will lie not by mere non compliance but such non compliance should be qualified as deliberate or intentional. In view of the above the contempt petition is dismissed.*

2. In view of the above, this Contempt Petition is also dismissed.



**(S.N. Shukla)**  
Member-A



**(Dr. K.B.S. Rajan)**  
Member-J

Sushil