

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD

CIVIL MISC. CONTEMPT PETITION NUMBER 59 OF 2003

IN

ORIGINAL APPLICATION NUMBER 1043 OF 1994 ~~2003~~

ALLAHABAD THIS THE 02ND DAY OF SEPTEMBER, 2003

HON'BLE MR. JUSTICE R. R. K. TRIVEDI, VICE-CHAIRMAN  
HON'BLE MR. D. R. TIWARI, MEMBER (A)

1. Shri Krishna Pal Singh  
s/o Sri Rahmali,  
r/o village Mitchki P.O. Hashuwa,  
District Fatehpur.

2. Shrawan Kumar son of Roop Lal,  
r/o Bangla No. C-17 Out House Quarter No.1  
Govind Nagar, Kanpur Nagar.

.....Applicants

(By Advocate : Shri R.M. Shukla)

V E R S U S

Shri S.K. Singh,  
Assistant Divisional Engineer,  
Northern Railway (Now N.C.R.),  
Fatehpur.

....Respondent

(By Advocate : Shri )

O R D E R

By Hon'ble Mr. Justice R.R.K. Trivedi, Vice-Chairman

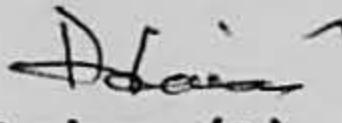
This contempt application has been filed by the applicants for punishing the respondent for wilful disobedience of the order dated 12.04.2002 passed in O.A. No.1043/1994.

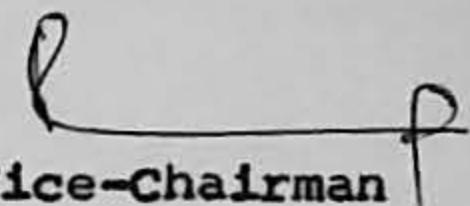
2. The grievance is that though Tribunal had directed that applicants shall be under deemed suspension till the final order is passed but the deemed suspension order was passed on <sup>12.08.2002</sup> 06.08.2002 and subsistence allowance has ~~already~~ been paid from that date. Counsel for the applicant has submitted that during this period, the enquiry has been completed and orders have been passed by the disciplinary authority and appellate

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authority and appeal filed by the applicants has already been dismissed.

3. In our opinion, in such circumstances, there is no question of any contempt. The applicants can raise the question in O.A. challenging the orders of the disciplinary authority and appellate authority, about the payment of subsistence allowance, which according to him has not been paid. Subject to aforesaid this Contempt Application is rejected. No order as to costs.

  
Member (A)

  
Vice-Chairman

shukla/-