

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD

Civil Contempt Application No.67 of 2003

In  
Original Application No.202 of 1996

Allahabad this the 04th day of June, 2003

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

Jagdish Babu Dubey S/o Late Ram Karan Dubey, Aged about 55 years, R/o 84 Block D, Panki, Kanpur.

By Inperson

Applicant

Versus

Shri Mathew John, Divisional Railway Manager, North Central Railway, Allahabad.

Respondent

O R D E R (oral )

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

This contempt has been filed by the applicant under Section 17 of the Administrative Tribunals Act, 1985 for wilful disobedience of the order of this Tribunal dated 22.10.2002 for punishing the respondent: Shri J.B. Dubey-applicant appeared inperson and submitted that the respondents have not implemented the order of this Tribunal dated 22.10.2002, as communicated by letter dated 17.03.03, filed as annexure-4. The applicant has argued that the reasons given by the respondents for not complying with the order of this Tribunal, had already been considered by the Tribunal in the

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order dated 20.01.2003 passed in O.A.No.70 of 1998 filed by the same applicant.

2. In order to appreciate the controversy we would like to quote the relevant paras of order dated 22.10.2002. Para-5 of the same reads as under;

"The applicant prays that the respondents may be directed to issue orders in the light of this letter dated 22.08.1995 as they are yet to issue orders in this regard. We, therefore, direct the respondents to consider the aforesaid letter dated 22.08.1995 and issue appropriate orders within a period of three months from the date of receipt a copy of this order."

3. We have closely perused the order of respondent dated 17.03.03(annexure-4), in which the respondents have stated that they have considered the case of the applicant in the light of orders contained in the Headquarter letter dated 22.08.1995 and the respondents after giving the reasons have informed the applicant that he has not been promoted in the grade of Rs.2375-3500 correctly according to rules. On perusal of orders of this Tribunal dated 22.10.02 and the order of respondents dated 17.03.03, we are of the considered opinion that no case of contempt is made out. The contempt petition is accordingly dismissed in limine.

*AJ*  
Member (J)

*D. M. K.*  
Member (A)

/M.M./