

Open Court.

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH,

ALLAHABAD.

...

THIS THE 28th DAY OF JULY, 2004.

Contempt petition No. 10 of 2003

IN

Original Application No. 433 of 2002.

HON'BLE MR. A.K. BHATNAGAR, MEMBER (J)
HON'BLE MR. S.P. ARYA, MEMBER (A)

Ashok Kumar, aged about 43 years, S/o late Hari, R/o phool Chowk, Highdora, Aligarh, presently residing at Railway Mal Godam Colony, Block 21/1, Aligarh.

Applicant.

By Advocate : Sri B.K. Narain (absent)

Versus.

Sri Amit Vardan, Senior Divisional Commercial Manager, Northern Railway, Allahabad.

Respondent.

By Advocate : Sri A.K. Gaur.

ORDER

BY S.P. ARYA, MEMBER (A)

By order dated 24.4.2002 in O.A. No. 433 of 2002, the respondent no.1 was directed to consider the representation once filed by the applicant sympathetically and pass a reasoned and speaking order within a period of one month from the date of receipt of such representation. The applicant filed the representation, but on the allegation that the said representation was not disposed of by the respondents, moved this C.C.P. Notice issued to Sri Amit Vardan, Senior Divisional Commercial Manager, Northern Railway, Allahabad on 19.9.2003.

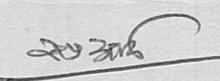
2. No oral arguments were advanced on behalf of the applicant. Counsel for the respondents was heard and

pleadings were perused.

3. The respondent has filed Counter affidavit stating that the compliance of the order dated 24.4.2002 has been made. He has also annexed a copy of the order dated 18.9.2002 to the Counter affidavit. This order dated 18.9.2002 disposes of the representation of the applicant after taking into consideration the relevant facts. A copy of this order has also marked to the applicant.

4. In the meantime, the applicant moved an application for impleadment of three more respondents on the plea that the respondent to whom the notice was issued, has been transferred. Such impleadment application was allowed. However, no such impleadment has been carried-out in the petition, therefore, the notices have not been issued to newly impleaded respondents as per order of this Tribunal.

5. Having gone to the pleadings and after hearing the counsel for the respondents, we find that the order dated 18.9.2002 makes ~~not~~ substantial compliance of the order dated 24.4.2002. Accordingly, no contempt is made-out. Notice need not issue to the newly impleaded respondents, ~~be impleaded~~. The C.C.P. is accordingly dismissed. Notice issued discharged.


MEMBER (A)


MEMBER (J)

GIRISH/-