

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD.

Dated : This the 25th day of FEBRUARY 2004.

Contempt Application no. 133 of 2003  
in

Original Application no. 127 of 1996.

Hon'ble Maj Gen K.K. Srivastava, Member-A  
Hon'ble Mrs. Meera Chhibber, Member-J.

1. Dinesh Kumar Datley, S/o Late Dr. R. Datley,  
R/o 116, Mohalla- Vaidraj,  
JHANSI.
2. Pradeep Zutsi, S/o Late K.N. Zutsi,  
R/o 792, Chamanganj, Sipri Bazar,  
JHANSI.

... Applicants

By Adv : Sri A.K. Srivastava

V E R S U S

1. Mr. S.P.S Jain, General Manager,  
Central Railway, Chatrapati Shivajee Terminal,  
MUMBAI.
2. Mr. Madhuresh Kumar, D.R.M.,  
Central Railway, Jhansi Division,  
JHANSI.

... Respondents

By Adv : Sri K.P. Singh  
Sri D.C. Saxena

O R D E R

Maj Gen K.K. Srivastava, AM.

This contempt application has been filed for punishing the respondents for wilful disobedience of the order of this Tribunal dated 19.2.2002 passed in OA no. 127 of 1996. In the order under reference following has been observed (Para 3) :-

"In the interest of justice we give protection

...

9

2.

that the respondents may again verify whether any arrears have still to be paid despite protecting their pay even after putting them in lower grade as accepted by them....."

In compliance of the order of this Tribunal the respondents have passed two orders dated 10.5.2002 meant for the applicants separately. The same have been annexed as annexure SCA 1 and SCA 2 to the short CA. In the order dated 10.5.2002 addressed to Sri D.K. Datley the respondents have stated that giving the protection of pay his arrears from 1.10.1992 to November 2000 have been <sup>Calculated</sup> made and it has been found that Sri D.K. Datley has been over-paid Rs. 971/- for which Senior Divisional Accounts Officer, Jhansi has been directed to affect recovery. In the letter addressed to Pradeep Zutshi, the respondents have stated that giving the benefit of pay protection, arrears have been worked out w.e.f. 1.12.1992 to 31.12.1995 and the applicant is entitled for arrears of Rs. 1738/- for which necessary orders have been issued and the same have been paid through special pay sheet vide Co-7 No. 010048 dated 10.5.2002 passed by Senior Divisional Accounts Officer.

2. In our opinion the order of this Tribunal has been complied with and no case of contempt is made out. However, the applicant<sup>he</sup> may not be satisfied with the order<sup>he</sup> dated 10.5.2002 passed in their favour, if that

...3/-





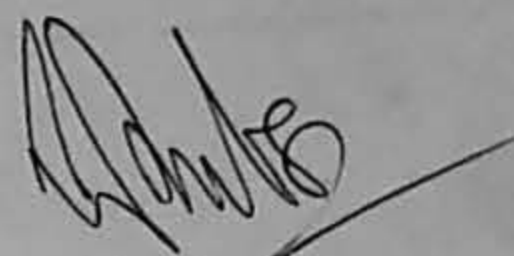
3.

be so, they may challenge the same on original side.

3. In view of the above, the contempt petition is rejected. Notices issued are discharged.



Member-J



Member-A

/pc/