

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD.

CIVIL MISC. CONTEMPT PETITION NO.191 of 2003,

IN.

Original Application Number 900 of 1996.

Allahabad this the 11th day of November 2003.

Hon'ble Maj Gen K.K. Srivastava, A.M.
Hon'ble Mr. A.K. Bhatnagar, J.M.

Abdullah Khan
s/o Late Sri Rahman Khan,
Saiyadwada, (Masul ghat),
District Ghazipur City.

.....Applicant.

(By Advocate : Sri R.S. Rathor)

Versus.

S. Meezan son of M.I Khan,
General Manager Govt. Opium Alkaloid Works
Ghazipur.

.....Respondents.

(By Advocate :)

O R D E R

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

This contempt petition has been filed for punishing the respondents for wilful disobedience of the order dated 03.04.2001 passed in O.A. No.900 of 1996. By order dated 03.04.2001, the respondents were directed to pay pensionary benefits to the applicant within period of three months. It has also been provided in the said order that in case applicant has not been paid his pensionary benefits he shall be paid interest at the rate of 10% from the date of filing of original application. Applicant was informed by respondents vide letter dated 10.08.2001 (Annexure 2A) that since the case was about 24 years old, the delay of 3 or 4 months

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was likely to occur. The applicant filed contempt petition No.115 of 2002 which was rejected by order dated 27.11.2002. However, it was observed in the order that the applicant was advised to keep himself in touch with the concerned department and know about the progress. It was further observed that the respondents were making efforts to pay the amount. The applicant filed recall application for recalling the order dated 27.11.2002 which was rejected by order dated 29.07.2003. In the order dated 29.07.2003 it has been provided that the applicant may move another application for implementation of the order passed by this Tribunal. Subject to the aforesaid, the application was rejected. In pursuance to the same, the applicant has filed this contempt application No.191 of 2003 instead of moving an application under section 27 of A.T. Act 1985.

2. Learned counsel for the applicant submitted that the applicant has been in constant touch with the concerned department but the grievance of the applicant has not still been redressed.

3. We have heard counsel for the applicant and have also perused the records.

4. In our considered opinion, it would be appropriate for the applicant to approach the concerned department to find out the latest position and also file representation before the respondents. Since the matter pertains to a payment of pensionary benefits of the applicant, we expect that respondents shall take positive steps to settle the long standing case^h expeditiously.

5. In view of the above, this contempt petition is rejected ⁱⁿ ~~in~~ ^{limine.} ~~in~~ ^h

Member-J

Member-A.