

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

CONTEMPT PETITION NO.202 OF 2003

IN

ORIGINAL APPLICATION NO.1238 OF 2002
ALLAHABAD THIS THE 5TH DAY OF APRIL,2004

HON'BLE MAJ GEN. K.K. SRIVASTAVA, MEMBER-A

HON'BLE MR. A. K. BHATNAGAR, MEMBER-J

Janardan Prasad,
Son of Sri Pyare Prasad,
resident of E-53-A Purani Loco Colony,
North Eastern Railway, Varanasi.Applicant
(By Advocate Sri A.S. Dewakar & Sri V.K. Srivastava)

Versus

Sri Ajay Kumar Srivastava,
Divisional Railway Manager(P),
North Eastern Railway, Varanasi.Respondents
(By Advocate Sri K.P. Singh)

ORDER

HON'BLE MAJ GEN. K.K. SRIVASTAVA, MEMBER-A

This Contempt Petition has been filed under section 17 of the Administrative Tribunals Act 1985 on 12.11.2003 for wilful dis-obedience of the order of this Tribunal dated 13.11.2002 passed in O.A. No.1238/02.


2. This Tribunal by order dated 13.11.2002 directed respondent no.2 to decide the representation of the applicant dated 01.04.2002 and 05.09.2002 within a period of three months from the date of communication of the order. The



learned counsel for the respondents has filed the compliance report in the court which is taken on record.

3. Perusal of the annexure filed alongwith the affidavit it is found that the order of this Tribunal was complied with by deciding the representation of the applicant dated 01.04.2002 and 05.09.2002 by a reasoned order dated 31.12.2002. A copy of the same was delivered to the applicant on 03.01.2003 at 3.55 P.M. The applicant has signed the same in token of receipt.

4. It is surprising^{ly} that once the order dated 31.12.2002 was passed and received by the applicant on 03.01.2003^{where} ^hwas a need to file a contempt petition on 11.12.2003. While we would like to take an adverse^{view} of the same, we take a lenient view^h ^hand let off the applicant for such undesirable Act. No case of contempt is made out. Notices are discharged.


Member-J


Member-A

/Neelam/