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OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

CIVIL MISC. CONTEMPT PETITION NO.54 OF 2006
IN
ORIGINAL APPLICATION NO.947 OF 2005

ALLAHABAD, THIS THE 28th DAY OF SEPTEMBER 2007

HON'BLE MR. ASHOK S. KARAMADI, MEMBER-J
HON'BLE MR. SHAILENDRA PANDEY, MEMBER-A

Ramesh Chandra Srivastava,
Son of Late Shri P. D. Srivastava,
Resident of M.M.I.G.-199 Saheed Nagar,
Agra, District Agra.

. Applicant

By Advocate : Shri Arvind Singh

Versus

1. Dr. J. S. Sharma
Secretary DOPT, Ministry of Communication
And I.T. Department of Tele-communication,
New Delhi.
2. Shri B. P. Kakkad,
Chief General Manager,
Tele-Communication Uttar Pradesh (W)
Shastri Nagar, Telephone Exchange Gad Road
Meerut.
3. Sri Anil Kumar Sinha,
Chief Managing Director,
Bharat Sanchar Nigam, New Delhi.

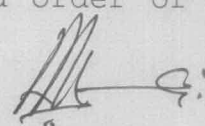
. Respondents

By Advocate : Shri S. Singh and Shri D. S. Shukla

O R D E R

HON'BLE MR. ASHOK S. KARAMADI, MEMBER-J

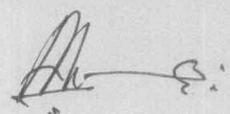
Perusal of the order dated 03.10.2005 against
which this contempt petition is filed, by the said
order the direction was issued to the respondents to
consider the claim of the applicant and pass
appropriate reasoned order and further it is stated if
the applicant is not satisfied with the said order or




if his claim is rejected, in that event he can seek his remedy by appropriate legal action. As the applicant has a grievance against this order, filed this contempt petition.

2. On notice, the respondents have filed the counter affidavit. The respondents have stated that they have complied with the order dated 03.10.2005 and the order to that effect was also passed and the necessary amount which is payable under the rules is also given and the payment was also made by the cheques to the applicant and sought for dismissal of this contempt petition. The applicant has filed the rejoinder affidavit for the same stating that the claim which the respondents have settled is not acceptable as his claim is more than the amount settled by the respondents. This counter affidavit was filed on 05.12.2006. In the rejoinder affidavit for the counter affidavit it is stated by the applicant that still the respondents have to make the payment dues to the applicant and he is not satisfied with the amount paid by the respondents, therefore, stated that the respondents have not complied with the order.

3. On hearing the learned counsel for the respondents and on perusal of the contempt petition and the pleadings and the order passed in the original application against which this contempt petition is filed and on having gone through their counter affidavit and the order passed by the respondents, we



do not find any justifiable grounds to continue with the contempt proceedings as the respondents have filed the counter affidavit. If the applicant is not satisfied with the order passed by the respondents it is open for him to seek his remedy before appropriate forum. Having regard to the same, this contempt petition cannot be continued. Accordingly, the contempt petition is dismissed. Notices issued are discharged.



Member-A



Member-J

/ns/