

(OPEN COURT)

**CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD**

ALLAHABAD this the **05th** day of **July, 2006.**

**HON'BLE MR. A.K. SINGH, MEMBER- A
HON'BLE MR. K. ELANGO, MEMBER- J.**

CIVIL CONTEMPT PETITION NO. 56 OF 2006

IN
O.A. NO. 215/03

Yashpal Mahay

.....Applicant.

VE R S U S

Sri Baldeo Singh, Air Officer Commanding,
Air Force Central Accounts Officer, New Delhi and others

.....Respondents

Present for the Applicant: Sri S. Mandhyan
Present for the Respondents : Sri S. Singh

ORDER

BY HON'BLE MR. A.K. SINGH, A.M.

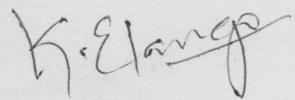
Heard Sri S. Mandhyan, counsel for the applicant and Sri S. Singh for the respondents.

2. Learned counsel for the respondents submits that the amount, which was recovered from the applicant has been refunded to him vide Acquittance Roll, copy of which has been annexed as Annexure- (1) to the Affidavit. He further submits that the applicant in token of receipt has affixed his signature on the aforesaid Acquittance Roll. Respondents, accordingly pray for dismissing the CCP as they have already made compliance of the Court's order. Learned counsel for the applicant submits that even though the respondents have refunded

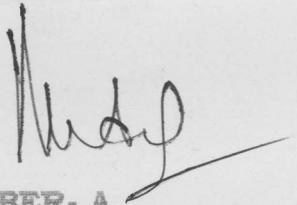
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the amount of Rs. 20,350 recovered in the month of April, 2006, nonetheless it should not have been recovered in view of the specific direction of the Hon'ble Tribunal in order dated 06.03.2003.

3. We have considered the submissions made by the learned counsels for the parties. We find that since the respondents have already refunded the recovered amount to the applicant , hence a substantial compliance of the order dated 06.03.2006 has been made by the respondents. The Contempt Petition is accordingly dismissed and notices are discharged. However, the court expresses its displeasure on the conduct of the respondents in recovering of the amount of Rs. 20,350/- from the applicant despite specific order of this court to the contrary.



MEMBER- J.



MEMBER- A.

/ANAND/