

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD.

Dated : This the 30th day of October 2007

Contempt Application No. 134 of 2006

IN

Original Application No. ~~921~~ of ~~2007~~ ^{1147 of 1996} *Mr*

Hon'ble Mr. Justice Khem Karan, Vice-Chairman

Hon'ble Mr. P.K. Chatterji, Member (A)

1. Mohd. Jahoor (since deceased) S/o late Sri Sayeed Hasan, through legal representative, Sipte Hasan.
2. Sipte Hasan, S/o late Mohd Jahoor, R/o Village and Post Office Kapsa, Tehsil Phulpur, Distt. Allahabad.

. . . .Applicants

By Adv: Sri S. Pandey

V E R S U S

1. Sri D.K. Dutta, Secretary, Ministry of Railways, Union of India, New Delhi.
2. Sri B.N. Mathur, General Manager, Northern Railway, Baroda House, New Delhi.
3. Sri R.K. Gupta, Divisional Railway Manager, Northern Railway, DRM, Office, Lucknow.

. . . .Respondents

By Adv: Sri P. Mathur

O R D E R

By Hon'ble Mr. Justice Khem Karan, Vice-Chairman

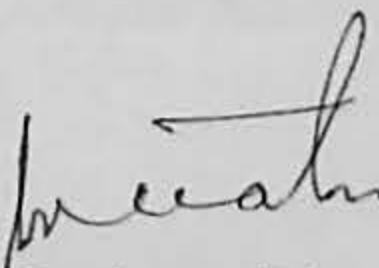
Sri S. Pandey learned counsel for the applicant and Sri P. Mathur learned counsel for the respondents.

2. Sri P. Mathur has stated that on the basis of letter dated 16.10.2007 issued by Divisional Office, Northern Railway, Lucknow the arrears of pension to the tune of Rs. 5,80,262/- are to be paid to the heirs of late Mohd. Jahoor at production of succession certificate. He says that arrears of ^{the} ~~the~~ amount,

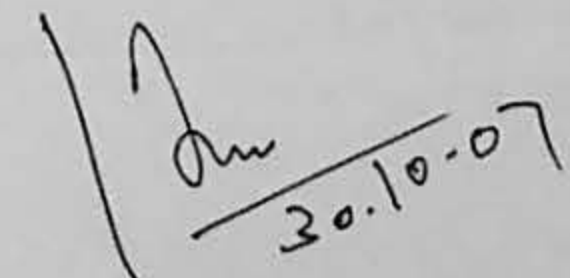
has already been made. Sri P. Mathur says that as soon as the applicant or other legal heirs of late Jahoor produces the succession certificate issued by the competent authority the payment will be made accordingly without any delay. He says that in view of this there appears to be no point in keeping these contempt proceedings alive.

3. Sri Pandey states that six months time may be given to the applicant to obtain the succession certificate. According to him proceedings cannot be closed before payment of the amount.

4. We have considered the matter. Let a photocopy of the letter dated 16.10.2007 so handed over by Sri P. Mathur be taken on record. Copy of this letter has already been given to Sri Pandey endorsed to all the legal heirs of the deceased Mohd. Jahoor. We think there is no point in keeping these contempt proceedings alive after clear cut statement from the side of the respondents that they will pay the amount to such legal heirs of late Mohd. Jahoor on production of succession certificate. It is difficult to say that the respondents have committed any ~~willful~~ disobedience of the order of this Tribunal. We believe that the respondents will act accordingly as stated in letter dated 16.10.2007. So the contempt proceedings are dropped. Notices issued to the respondents are discharged.


Member (A)

/pc/


30.10.07
Vice-Chairman