

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

CIVIL MISC. CONTEMPT APPLICATION NO.37 OF 2006
IN
ORIGINAL APPLICATION NO.790 OF 2002

ALLAHABAD THIS THE 7TH DAY OF APRIL, 2008

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

Suresh Chandra Srivastava,
S/o Late Sri Laxmi Narain Lal,
R/o 13/8, Nati Imli, Varanasi (U.P.)

.Applicant

By Advocate : Shri H. S. Srivastava

Versus

1. Sri Om Veer Singh,
Chief General Manager, Telecom,
Bharat Sanchar Nigam Limited,
U.P. (East) Circle, Lucknow.
2. Sri Daya Ram,
Chief Accounts Officer, (DOT Cell),
U.P. (East) Circle, Bhopal House, Lalbagh,
Lucknow.
3. Shri D. N. Tripathi,
General Manager Telecom District,
Bharat Sanchar Nigam Limited, Varanasi.

.Respondents

By Advocate : Shri Subodh Kumar And Shri Saumitra
Singh

ORDER

This contempt petition is filed against the order dated 15.09.2005 for taking action against the respondents for dis-obedience of the order.

2. On notice the respondents have appeared and filed their counter affidavit. It is also stated in the counter affidavit against the said order the respondent, B.S.N.L. authorities had filed the writ

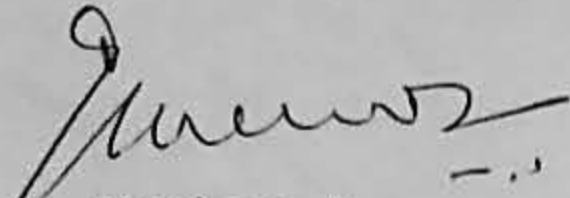



petition No.77381/05 before the Hon'ble High court. Today when this matter is called the learned counsel for the applicant submits that the applicant is died in the month of February 2007. The respondent's counsel also on verification submitted that the applicant is no more and the contempt petition does not survive for consideration. In view of this in the absence of the proper parties on record in the contempt proceedings to pursue the matter; that too after the expiry in the month of February 2007 still the matter is pending. Having regard to the same this contempt petition does not survive for consideration. Accordingly, it is dismissed as not maintainable.

3. However, in view of the facts and circumstances of the case that the order passed in the OA is with regard to the entitlement of the applicant regarding his pensionary benefits. Since the legal heirs are entitled for the same, therefore, this order of dismissal shall not come in the way of respondent's authorities, to consider and pass appropriate orders. The legal heirs are given liberty to make the representation to the concerned authorities. The learned counsel for the applicant submits that one month time be given to the legal heirs to make the representation before the concerned authorities, if such a representations is submitted before the concerned authorities in that event, the said representation shall be disposed of by the respondents within a period of three months from the date of



receipt of the said representation in accordance with
law. Notices issued are discharged.


Member-A


Member-J

/ns/