

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD

**Contempt Petition No. 160 of 2007 in  
Original Application No. 1513 of 2000**

**Monday**, this the **13<sup>th</sup>** day of **October**, 2008

**Hon'ble Mr. Ashok S. Karamadi, Member (J)**  
**Hon'ble Mr. K.S. Menon, Member (A)**

Akshaiber Mishra, son of Late Kailash Mishra, Resident of 160 St. Gaya Colony, Mughal Sarai, District Chandauli.

**Petitioner**

**By Advocate: Sri Ashok Kumar Srivastava**

**Vs.**

1. Mr. H.K. Kala, Divisional Railway Manager, East Central Railway, Mughal Sarai, Chandauli.
2. Mr. Manoj Kumar, Senior Divisional Personnel Officer, Central Railway, Mughalsarai, District Chandauli.
3. Mr. Madan Mohan Pandey, Senior Divisional Mechanical Engineer, E. Rly., Mughalsarai, District Chandauli.

**Opposite Parties**

**By Advocate Sri K.P. Singh**

**ORDER**

**By Ashok S. Karamadi, J.M.**

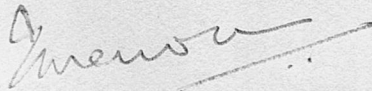
This Contempt Petition is filed against the Order of this Tribunal dated 23.08.2007. By the said Order, respondents are directed to pay applicant the normal pay and allowances, without considering the reduction as given in the penalty order and the arrears thereof shall be paid to the applicant within a period of two months from the date of receipt of this Order. Since the respondents have not complied with the said Order, the applicant has filed this Contempt Petition for taking action against the respondents for not complying with the Order.





2. On notice, the respondents have appeared and filed the Counter Affidavit. It is stated in the Counter Affidavit, in para-6, that they have complied with the Order dated 23.08.2007 and consequently Order passed by the competent authority is produced as annexure CA-1 dated 28.01.2008. Copy of the same is also served to the applicant. Based on this counter affidavit, the respondents seek for dismissal of this Contempt Petition.

3. We have heard the learned Counsel for the respondents. On perusal of pleadings of the Contempt Petition, the Order of this Tribunal and the Counter Affidavit filed by the respondents, which is taken on record today, we are of the view that the respondents have complied with the Order of this Tribunal dated 23.08.2007 and, therefore, Contempt Petition does not survive for further consideration. Accordingly, Contempt Petition is dismissed, and notices issued to the respondents are hereby discharged.



**(K.S. Menon)**  
Member 'A'



**(Ashok S. Karamadi)**  
Member 'J'

/M.M/