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Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD**

**Contempt Petition No. 23 of 2007  
Original Application No. 755 of 2006**

Monday, this the 17<sup>th</sup> day of March, 2008

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

Alok Kumar Singh Chauhan, aged about 22 years Son of Late Surendra Pal Singh Chauhan resident of village and post Malikhanpur Tehsil Rasoolabad District Kanpur Dehat.

Applicant

By Advocate Sri V.S. Chauhan

Versus

Sri K.K. Yadav, Superintendent, Railway Mail Services (RMS) Kanpur Mandal, Kanpur.

Respondent

By Advocate Sri Saumitra Singh

ORDER

By A.K. Gaur, Member (J)

Even in the revised list, none for the applicant. Sri Anupam Kumar brief holder to Sri Saumitra Singh, Counsel for the respondent.

2. Vide Order dated 24.07.2006, this Tribunal directed the respondent No. 3 in the O.A. "to ensure that the request of the applicant whether made by him or by mother for his appointment on compassionate ground is considered in accordance with Rules on the subject and decision taken within a period of four months from the date a certified copy of this order is produced before him." Learned counsel for the respondents has stated that the Order and direction of this Tribunal has already been complied with and he has prepared a draft counter affidavit and sent for verification to the competent authority but same has not been returned back to him. The Office copy of the said counter affidavit is supplied to us, wherein in paragraph No. 5 of the counter affidavit, it is stated that the Order has been complied with. In view of this statement of respondent in the counter affidavit, we see no reason to continue with the contempt proceedings and it is settled principle of law that contempt proceeding is between the Court and the contemnor, as such, we are deciding this contempt petition in the absence of applicant's counsel as we are satisfied that compliance has

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been made. Accordingly contempt petition is dismissed and notice issued to the respondent is discharged.

*Guerrero*  
Member (A)

*Anil Jain*  
Member (J)

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/M.M/