

OPEN COURT
CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD.

CIVIL CONTEMPT APPLICATION NO. 75 OF 2007.

IN
ORIGINAL APPLICATION NO 238 of 2006.

ALLAHABAD THIS THE 24TH DAY OF JULY 2008.

Hon'ble Mr. Justice A.K. Yog, Member (J)
Hon'ble Mr. K.S. Menon, Member (A)

M.E.S NO. 421455 K.C. Joshi, son of Shri Hari Dutt Joshi, presently working as U.D.C at Garrison Engineer, Fatehgarh Cantt, District Farrukhabad, Resident of T-10/6, Site NO. 3, Fatehgarh Cantt, District Farrukhabad (U.P).

.....Applicant

(By Advocate: Shri Subhash Ghosh/Shri A.D. Singh)

Versus.

1. Shri A.K. Singh, (Officer), Officer Chief Engineer, Military Engineer Service (Lucknow) Headquarter, Central Command, Lucknow 226002.
2. Shri Sant Ram (Director), Officer, Engineer in Chief, Directorate General (Pers) Army Headquarter, Kashmir House, D.H.Q. Post Office, New Delhi 110011.

.....Opposite Party

(By Advocate: Shri Saumitra Singh)

O R D E R

By Justice A.K. Yog, Member (J)

Case called. None appears for the applicant. Shri Saumitra Singh, Advocate appearing for the respondents.

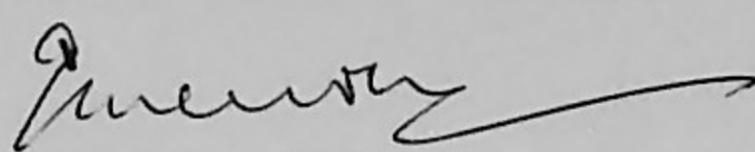
2. We have perused the contents of contempt application including affidavit (filing in support of contempt application sworn by applicant) on 31.5.2007. From the averment made in the said affidavit (in support of the contempt application) it is clear that vide order dated 13.3.2006, this Tribunal had directed Chief Engineer, Military Engineering Service (Lucknow) Headquarter, Central Command, Lucknow and , Engineer in Chief, Directorate General

Am

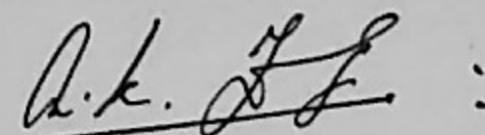
(Pers) Army Headquarter, Kashmir House, D.H.Q. Post Office, New Delhi (O.P. No.1 and O.P No.2 respectively in the O.A) as well as Competent Authority was required to decide the representation within a period of four months from the receipt of a copy of the order. The said direction is quoted in para 9 of the said affidavit. In the affidavit, exact date of serving the said order has not been disclosed. However, paras 10 and 11 of the affidavit itself indicate that the action was taken and decision was also taken in pursuance to the representation of the O.A. The averments made in subsequent para of the affidavit shows that applicant is not satisfied with decision taken in pursuance to the representation while passing the order.

3. In view of the above, it is clear that applicant is dissatisfied, ~~as the order~~ ^{on the} ~~has no~~ merit. This Tribunal cannot enter into the veracity/sufficiency of merit/reasons. It is wholly irrelevant while exercising contempt jurisdiction. Notices issued against opposite parties are hereby discharged/ Contempt petition stands consigned to record.

No order as to costs.



Member (A)



Member (J)

Manish/-