

Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH ALLAHABAD**

(THIS THE 06th OF December, 2010)

Hon'ble Dr. K.B.S. Rajan, Member (J)
Hon'ble Mr. D.C. Lakha, Member (A)

Civil Contempt Petition No.116 of 2007
(Arising out of O.A. No. 392 of 2003)

Gopal Krishna, Civilian Cinema Projectionist, attached with the Branch Recruiting Office, Varanasi during the year 1994-95.

..... **Applicant**

By Adv. : **Shri Mukul Tripathi**

Versus

1. R.K. Sabharwal, Col. Director Recruiting, Army Recruiting Office, Varanasi, PIN 900445, C/o 56 APO.
2. T A Mohalah, Lt. Col. Adm Offr, for Offg DDG Rtg, HQ Rtg Zone (B&J) PIN 900441 C/o 56 APO.

..... **Respondents**

By Adv. : **Shri N.C. Nishad**

ORDER

(Delivered by Hon. Dr. K.B.S. Rajan, Member-J)

Counsel for the Applicant has sent illness slip. In fact on earlier occasion also there has been request for adjournment by sending illness slip. As the matter relating to contempt is between Court and alleged contemnor, unless absolutely necessary, presence of the counsel for the Applicant is not necessitated.

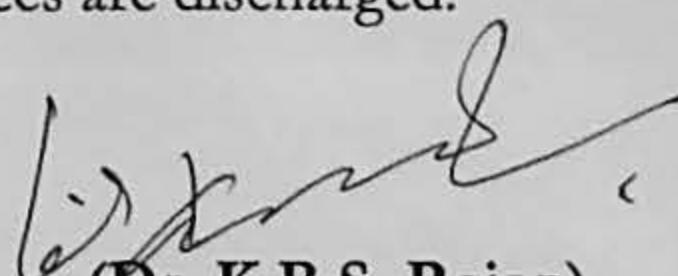
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2. We have gone through the case. The order which is stated have not been complied with mandates the Respondents to consider the representation of the Applicant and dispose of the same. It is found from the latest affidavit filed by the respondents that the Applicant was repeatedly requested to submit Medical Certificate for the period from 12th May, 1994 to 10th September, 1994. Earlier, the Applicant was also informed through detailed communication in pursuance of order of this Tribunal.

3. As such, we do not fined any deliberate disobedience in the contempt petition. It is open to the Applicant, however, to agitate against the action on the part of the Respondents in accordance with law. Contempt petition is dismissed. Notices are discharged.



(D.C. Lakha)
Member-A



(Dr. K.B.S. Rajan)
Member-J

Sushil