

(6)

(OPEN COURT)

**CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD**

ALLAHABAD this the **15th** day of **April, 2008.**

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

Civil Misc. Contempt Petition No. 14 of 2007

(Arising out of Original Application No. 1104 of 2006)

Prem Prakash Srivastava, S/o Late Amar Nath Srivastava,
A/a 51 years, Senior Section Engineer (Permanent Way),
Ultrasonic Flaw Detection Unit under Senior Divisional
Engineer (I), Mughal Sarai, East Central Railway.

.....Applicant.

VE R S U S

1. Sri S.K. Vij, the General Manager, East Central Railway, Hajipur (Bihar).
2. Sri H.K. Kala, Divisional Railway Manager, East Central Railway, Mughalsari, Distt. Chandauli (U.P.),
3. Sri Abhai Kumar, Senior Divisional Engineer (I), East Central Railway, Mughal Sari, Distt. Chandauli (U.P.).

.....Respondents

Counsel for the Applicant: Sri Y. Pandey
Present for the Respondents : Sri Anil Kumar

ORDER

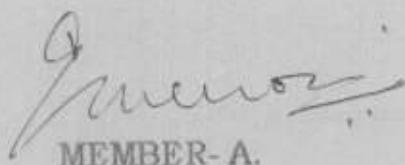
BY HON'BLE MR. ASHOK S. KARAMADI, J.M.

This contempt petition is filed for non-compliance of the order dated 16.10.2006 passed in O.A No. 1104/06. By the said order, the respondents were directed to decide the representation submitted by the applicant on 28.11.2005 within a period of two months from the date of receipt of copy of the order. Since the respondents have not passed any order on the said representation, this contempt petition is filed for taking action against the respondents for disobedience of the order.

2. On notice, the respondents filed Counter Reply , in para 7 of which, it is stated that the respondents have considered the representation of the applicant dated 28.11.2005 as per direction of the Tribunal and further granted personal hearing to the applicant on 21.03.2001 and thereafter passed a reasoned and speaking order on 26.03.2007. A copy of order dated 26.03.2007 is produced alongwith CA. Having regard to the same, the respondents have sought for dismissal of the contempt petition.

3. Even in the revised call there is no representation on behalf of the applicant. It is seen from the earlier order dated 21.11.2007, there was no representation on behalf of the applicant on that date, even in the revised call, and the matter was listed before court on 27.11.2007, thereafter it is listed today.

4. On perusal of the material on record and the submissions made by the learned counsel for the respondents, we are of view that there is no disobedience of the orders on behalf of the respondents. Since the respondents have already complied with the orders and passed the speaking order on 26.03.2007, we do not find any justifiable grounds to continue the contempt proceedings. Accordingly it is dropped and the notices are discharged.



MEMBER-A.



MEMBER-J.

/Anand/