

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

Civil Misc. Contempt Application No.57 of 2007.

In

Original Application No.583 of 1997.

Allahabad, this the 6th day of August, 2008.

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

R.K. Rathaur ..Applicant.

By Advocate : Shri Ashish Srivastava

Versus

V.N. Mathur, General Manager, N.R., Allahabad.

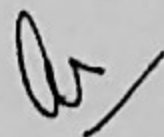
..Respondent.

By Advocate :

O R D E R

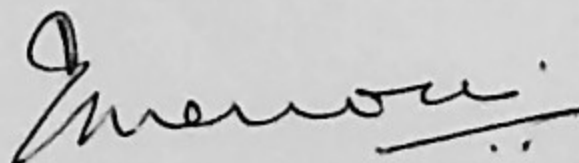
By Justice A.K. Yog, Member-J

Heard the learned counsel for the applicant and perused the pleadings contained in this Contempt Application. As per documents, the grievance of the applicant is that he has not been extended the benefit of the Tribunal's order whereas identical case of R.S. Pandey and others, who had filed M.A. no. 5691 of 2005 in O.A. no. 583/97 (decided vide Tribunal final order dated 1.12.2006) has been extended the benefit, he has been deprived of the same. The copy of final order in O.A. no. 583 of 1997 is annexed as Annexure no.3 to the Contempt petition. Copy of the order dated 1.12.2006 on M.A. no. 5691 of 2005 R.S. Pandey & Ors. Vs. Union of India and Ors. is annexed as Annexure-2 to the Contempt Petition.

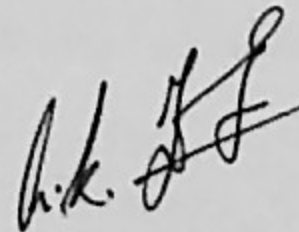


2. At the outset, it is necessary to note that the Tribunal issued time bound direction and ^aaccordingly^a observed "The decision in this regard shall be taken expeditiously preferably within 03 months from the date of receipt of representation alongwith copy of this order." The learned counsel for the applicant has failed to appreciate that the applicant has also approached the respondents when R.S. Pandey and Others on the basis of final order dated 17.11.2004 were approached. However, in view of the above, it is clear that it is not possible to issue direction while exercising the contempt jurisdiction. However, in the ends of justice, it is directed that if the applicant approaches the respondents-authorities in a proper manner for compliance of the order of this Tribunal passed in O.A. no. 583 of 1997, they shall consider the same. For this purpose, we direct the applicant to file a comprehensive representation alongwith certified copy of this order and complete copy of this CCP with Annexures within four weeks from today before the competent authority and the said authority shall consider and decide the same by a reasoned and speaking order meeting all the contentions raised by the applicant in his representation within a period of three months on receipt of certified copy of the order as contemplated above in accordance with law exercising unfettered discretion and communicate the decision on the said representation/s by registered post to the applicant.

3. With the above observation, the case stands disposed of. No costs.



MEMBER-A



MEMBER-J