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Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD**

Civil Contempt Petition No. 144 of 2007
(Arising out of O.A No. 814 of 2007)

ALLAHABAD THIS THE 20th the DAY OF MARCH, 2008

HON'BLE MR. A.K. GAUR. MEMBER-J
HON'BLE MR. K.S. MENON, MEMBER-A

1. Krishna Kumar Sinha, a/a 42 years,
S/o Late Gauri Shankar Lal Srivastava,
Senior Pharmacist, Health Unit, North Central Railway,
Chunar, Distt. Mirzapur under Allahabad Division.
 2. Anil Kumar Gupta, a/a 42 years,
S/o Sri Dashrath Lal Gupta, Senior Pharmacist,
Railway Hospital, Allahabad, North Central Railway,
Allahabad Division, Allahabad.
-Applicants

By Advocate: Sri A.K. Srivastava.

V E R S U S

Mr. Sandeep Trivedi,
Senior Divisional Personnel Officer,
North Central Railway, Allahabad Division, Allahabad.

.....Opposite Party

By Advocate: Sri. A.K. Pandey.

ORDER

BY A.K. GAUR, MEMBER-J

This Contempt Petition is filed for willful disobedience of the order dated 14.08.2007 passed by the Tribunal in O.A No. 814/2007.

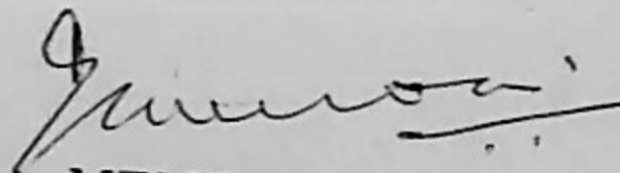
2. Having heard Sri A.K. Srivastava, learned counsel appearing for the applicant and Sri A.K. Pandey for the opposite party as well as the averments made in Compliance Report supported with an Affidavit filed on behalf of the opposite party, we are fully satisfied that the orders of the Tribunal has already been complied with. In view of

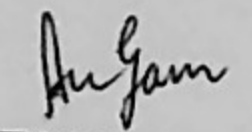
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the above, we find no case for civil contempt. The contempt petition is accordingly dismissed. Notices discharged.

3. However, Sri A.K. Srivastava, learned counsel for the applicant has submitted that the Affidavit has not been filed by the competent authority because in contempt proceedings, an Affidavit should have been filed by the contemnor. Sri A.K. Pandey, learned counsel for the opposite party on the other hand has submitted that in view of the Full Bench decision of the Tribunal in Jacob Abraham's case, the power has been delegated to the respondents. On the other hand counsel for the applicant has referred to a decision of Calcutta Bench, which is denied by us.


MEMBER-A


MEMBER-J

/Anand/