

(OPEN COURT)

**CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD
BENCH ALLAHABAD**

ALLAHABAD this the 04th day of September 2009.

HON'BLE MR.A.K. GAUR , MEMBER (J)
HON'BLE MRS. D.C. LAKHA, MEMBER (A)

Civil Misc. Contempt Petition No.103 of 2008

In

Original Application Number.1348 OF 2005

Ram Bihari Ram aged about 50 years, Son of late Lalu Chamar
Resident of Village Muathani, District-Kaimur, Bhabhua Bihar.

.....Applicant

VERSUS

Sri H.K. Kala, Divisional Rail Manager, Eastern Central Railway,
Mughalsarai.

.....Respondents

Advocate for the applicant: Sri P.S. Sharma

Advocate for the Respondents : Sri K.P. Singh

ORDER

DELIVERED BY HON'BLE MR. A.K. GAUR, J.M

We have heard Sri P.S. Sharma, learned counsel for the
applicant and Sri K.P. Singh, learned counsel for the
respondents.

2. Vide order dated 13.08.2007 this Tribunal issued a
direction to the Competent Authority for deputing an Officer of
Junior Administrative Grade to enquire into the matter and
submit his report to him within a period of Four Months. For

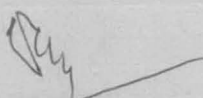
convenient perusal, the operative portion of the order is being reproduced hereunder:-

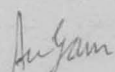
"We, therefore, dispose of this OA finally with a direction to the applicant to give a self contained representation annexing thereto the necessary proof which he may have to respondent no.2 within a period of one month from today and if such representation is so given, the respondent no.2 will depute an officer of Junior Administrative Grade to enquire into the same and to submit his report to him, within a period of four months and thereupon respondent no.2 will pass a suitable orders as he may find just and proper keeping in view the observations made above. No costs."

3. Learned counsel for the respondents on the other hand invited our attention to Annexure No.1 to the Counter Affidavit and also Page No.26 wherein proper orders have been passed by the Competent Authority.

4. In the present case we are only required to look into the direction given by the Tribunal and whether the direction given by the Tribunal has been complied with or not. We are not supposed to look into the legality, propriety and correctness of the order. In the present case an innocuous direction was given by the Tribunal to respondent no.2 to depute an Officer of Junior Administrative Grade to enquire into the matter and submit his report , who has submitted his report.

5. In our considered view no case of Civil Contempt has been made out and the respondents have not committed any wilful disobedience of the order and direction passed by the Tribunal. Accordingly, contempt petition is dismissed. Notices are discharged. If the applicant is still aggrieved he may file O.A.


Member-A


Member-J

/Sushil/

General Order on 03.10.2008

The Deputy Registrar (J) is directed to ensure personally as follows: -

1. All OAs/MAs must accompany 'Index' containing distinct columns viz. (i) serial number, (ii) particular of document, (iii) date, (iv) annexure number and (v) page.
2. Compilation I and II should be separately stitched with separate covers bearing Title/Particulars of case and case number on top cover page. Both compilations attached together.
3. Scrutiny report should be carefully filled in with due caution. While carrying out checking, Registry/Deputy Registrar (J) should ensure that all the applications are registered and allotted numbers. All Misc. Applications must include Index on top (as noted above). Application, C.A., R.A. etc must bear initials on all cuttings/over writings (if any). Paragraphing/ Swearing/Verification is done as per Rules. At relevant places it should indicate CA/SCA is filed on behalf of which Respondents-Advocates signing pleadings should disclose Number of respondents represented by him, at each place.
4. All applications must be flagged with a clear Note, Pending or Decided (allowed/rejected).
5. Service upon each respondent be indicated separately-eg.-whether served (give date) or not served/deemed served, Advocate/Counsel with date of filing of Vakalatnama/Memorandum of appearance-representing each respondent.
6. Pleadings must be arranged chronologically and corresponding to relevant pleading i.e. Rejoinder Affidavit/Supplementary R.A. be attached with their corresponding Counter Affidavit/Supplementary C.A. with distinct flags.



7. A specific report whether case ripe/ready for hearing and whether M.A. (if any) pending.

8. All decided MAs and other documents (as given under Relevant Acts/Rules) should be placed in part 'C' file of concerned case.

It shall be personal responsibility of the Deputy Registrar to ensure compliance of the above order.

It is further provided that defects, if any, be notified for information ^{to} learned counsel to enable him to remove defects.
