

(3)

Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH
ALLAHABAD**

PRESENT:

HON'BLE MR. JUSTICE A.K. YOG, MEMBER-J
HON'BLE MRS. MANJULIKA GAUTAM, MEMBER-A

Allahabad this the 18th day of September, 2008

CONTEMPT PETITION NO. 126 OF 2008

ARISING OUT OF

ORIGINAL APPLICATION NO. 1498 OF 2005

Rakesh Mittal, S/o late Dr. B.B. Mittal, R/o House
No. 1, Old Police Line, Court Road, Dehradun.

...Applicant.

By Advocate : Sri Chandan Sharma.

Versus

Sri S.K. Das, Chief Secretary, State of Uttarakhand,
Dehradun.


...Respondent.

By Advocate :

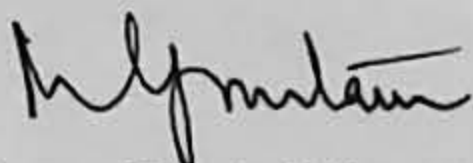
O R D E R

Delivered: By Justice A.K. Yog, Member-J

Heard the learned counsel for the applicant. As per the pleadings contained in the Contempt Petition, there is no clinching evidence that the order of this Tribunal, in question, was served and brought to the knowledge of the Opp. Party in their personal capacity. It is to be appreciated that in the O.A. none of the Opp. Party have been impleaded by name. Parties are described in the official capacity. Merely averments that the order of this Tribunal (in question) was sent by the registered post to the respondents is not sufficient to establish that the authority concerned has the knowledge about the order of this Tribunal. There has to be specific pleadings in the Contempt petition.

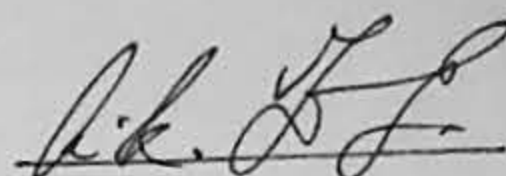


2. The Contempt petition is accordingly rejected in the absence of the requisite pleadings. The applicant is free to serve certified copy of the order upon the Opp. Party personally or otherwise indicate (in the pleadings in future) that he has been prevented by the Opp. Party from approaching ~~enabling~~ the applicant to serve a copy of the order of this Tribunal.



(Mrs. Manjulika Gautam)

MEMBER-A



(Justice A.K. Yog)

MEMBER-J