

OPEN COURT

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH : ALLAHABAD**

Civil Misc. Contempt Petition No. 186 of 2008.

in

Original Application No. 692 of 2006

Allahabad, this the 3<sup>rd</sup> day of November, 2009

**Hon'ble Mr. A.K. Gaur, Member-J**  
**Hon'ble Mr. D.C. Lakha, Member-A**

Om Prakash Pandey, S/o Late Gaya Prasad Pandey, aged about 62 years, R/o Village Harshringarpur, P.O. Mauhar, Bindki Road, District Fatehpur.

...Applicant.

By Advocate : Shri A.K. Srivastava  
Shri S.K. Awasthi

**V E R S U S**

Sri Uday Krishna, The Post Master General, Kanpur.

...Respondent.

By Advocate : Shri K.C. Sinha  
Shri R.D. Tiwari

**O R D E R**

**By Hon'ble Mr. A.K. Gaur, Member-J :**

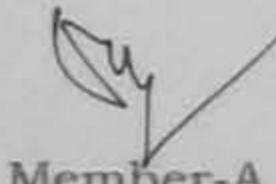
Heard Shri S.K. Awasthi, learned counsel for the applicant and Shri Firooz Ahmed holding brief of Shri R.D. Tiwari, Standing counsel for the respondents.

2. Learned counsel for the respondents submitted that this Tribunal vide judgment and order dated 8.4.2008 directed the applicant to prefer a representation before the competent authority, who may decide the same within a period of four months from the date of receipt of copy of the order. The said representation has been considered and disposed of by the competent authority. A perusal of

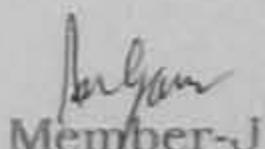
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Para 15 of the counter affidavit clearly indicates that the applicant has not submitted any representation alongwith certified copy of the order dated 8.4.2008 till date. However, in compliance of the order and direction of the Tribunal a fresh inquiry proceeding under Rule 14 of CCS (CCA) Rules 1965 was initiated in the matter but the applicant is not cooperating with the enquiry proceedings and is taking adjournment on one ground and the other. The respondents have already filed Time Extension Application praying for four months further time for compliance of the order dated 8.4.2008. It was also directed that the inquiry proceedings shall be completed within a period of four months. Learned counsel for the respondents submitted that the applicant is not cooperating in the inquiry and as such it is impossible for the respondents to complete the inquiry. Learned counsel for the applicant submitted that he may be given a copy of the order in which it has been stated that the applicant is not cooperating in the inquiry. The respondents are directed to give a photocopy of the order dated 26.1.2009 to the applicant's counsel and the same may also be kept on record.

3. Having heard parties counsel, we are satisfied that the respondents have not committed any wilful disobedience of the order of this Tribunal. Accordingly, the contempt petition is dismissed. Notices are discharged. If the applicant is still aggrieved he may approach this Tribunal by way of filing the Original Application.



Member-A



Member-J

RKM/