

In The Central Administrative Tribunal
Calcutta Bench

CPC 59 of 1998
(O.A 558 of 1996)

Present : Hon'ble Mr. Justice G.L. Gupta, Vice-Chairman
Hon'ble Mr. S. Biswas, Administrative Member

Renuka Bose

- VS -

S. Ramanathan

For the Applicant : Mr. P.G. Das, Counsel

For the Respondents: Mr. P.K. Arora, Counsel

Date of Order : 22-03-2002

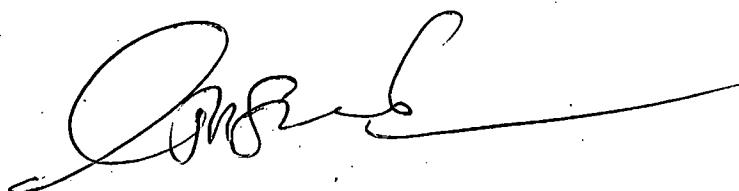
ORDER

PER MR. JUSTICE G.L. GUPTA

This is an application for contempt stating that the respondents have not complied with the direction of the Tribunal passed in CPC 45 of 1997 on 18-9-1997.

2. Lt. Counsel for the applicant submits that the applicant had filed O.A.558 of 1996 which was disposed of vide order dated 5-1-1997. It was directed to the respondents to dispose of the representation of the applicant, but the respondents did not take any action on the representation of the applicant pending with them. Thereafter, the applicant filed CPC 45 of 1997 in which the Tribunal was satisfied that there was no representation pending with the respondents. However, it was directed that the applicant may make a representation to the respondents and in case such a representation is filed, the same shall be disposed of by them within ten weeks from the date of receipt of the representation.

3. Now the case of the applicant is that she made representation to the respondents on 16-10-1997. In the reply the respondents have

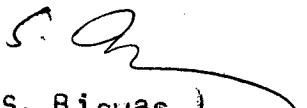


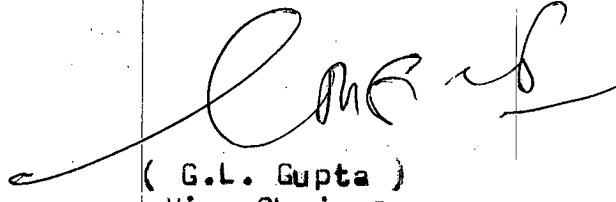
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stated that there was a matter pending in the Civil Court for obtaining succession certificate. It is also stated that some lady Smt. Eti Rani Bose claiming to be the wife of the deceased employee has filed an application for succession certificate and Smt. Renuka Bose has also moved to the Court for obtaining interim stay order. Respondents' case is that in view of the pendency of the dispute between the two ladies with regard to the succession certificate they could not take decision in this case and it was intimated to the applicant also.

4. Ld. Counsel for the respondents states that after the matter is decided by the Civil Court, the applicant may approach the respondents and a suitable order will be passed on her application.

5. Having considered the facts and circumstances of the case it is to be accepted that in case the decision goes in favour of the applicant, respondents shall be bound for implementation of the direction of the Tribunal. Consequently, the present application is dismissed. However, the applicant shall be at liberty to approach the respondents for appropriate order on her representation after the matter is decided by the Civil Court. In case she is aggrieved, she may approach the Tribunal again.


(S. Biswas)
Member(A)


(G.L. Gupta)
Vice-Chairman

DKN