

Central Administrative Tribunal, Lucknow Bench, Lucknow  
Contempt Petition No. 47/2004 in O.A. No. 478/2003

Lucknow this the 5<sup>th</sup> day of August, 2004

HON'BLE SHRI S.P. ARYA, MEMBER (A)

HON'BLE SHRI M.L. SAHNI, MEMBER (J)

R.N. Bhatia aged about 62 years son of Sri Chaudhari Harnarain Bhatia resident of 3/36, Vishwas Khand, Gomti Nagar, Lucknow.

...Applicant

By Advocate: In person

Versus

Sri Pradeep Shukla, Principal Secretary, Department of Appointments, Govt. of u.p., Civil Secretariat, Lucknow.

....Respondents

By Advocate: Sri Raj Singh for Sri A.K. Chaturvedi

ORDER

BY HON'BLE SHRI S.P. ARYA, MEMBER (A)

By order dated 18.3.2004 in O.A. No. 478/2003, respondents were directed to pass the order under Rule 5B of All India Service (Disciplinary and Appeal) Rules, 1969 within a period of 2 months from the date of communication of this order with regard to admissibility of salary and period of suspension to be treated as duty or not, as per rules.

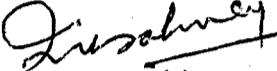
2. On non-compliance of the order, the applicant filed a contempt petition. The applicant was also held entitled to 6% interest on the delayed payment of leave encashment.

3. We have heard the applicant in person and counsel for respondents and perused the pleadings.

4. On perusal of the records, it is clear that the respondents on 6th July, 2004 have passed the order for payment of 6% interest on delayed payment of leave encashment. Further on 3rd August, 2004, the respondents have also passed the orders with regard to the admissibility

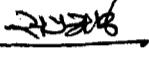
of pay and allowances during suspension. The applicant has also been asked to submit the objection, if any, to these orders as per provision of Rule 5B of All India Service (Disciplinary and Appeal) Rules, 1969.

5. Having heard the applicant in person and counsel for respondents, we are of the considered opinion that the orders ~~are~~ <sup>have</sup> substantially ~~been~~ <sup>been</sup> complied with. No contempt is made out. CCP is dismissed and notices are discharged.

  
(M.L.Sahni)

Member (J)

HLS/-

  
(S.P.Arya)

Member (A)