

Central Administrative Tribunal, Lucknow Bench, Lucknow

CCP No. 01/2005 in O.A. 517/1997

This the 10th day of November, 2008

Hon'ble Sri M. Kanthaiah, Member (J)
Hon'ble Sri A.K. Mishra, Member (A)

Rajendra Prasad aged about 29 years son of Sri Paashu Ram r/o Village and Post Office Pahla, District- Sitapur.

Applicant

By Advocate: Sri R.S.Gupta

Versus

1. Smt. Neelam Srivastava, Chief Post Master General, U.P., Lucknow.
2. Sri Ashok Kumar Srivastava, Superintendent of Post Office, Sitapur.

Respondents

By Advocate: Sri G.K.Singh

ORDER

By Hon'ble Sri M. Kanthaiah, Member (J)

The applicant has filed the CCP to initiate proceedings against the respondents and to punish them for non-compliance of the order of the Tribunal dated 29.9.2004 passed in O.A. No. 517/1997.

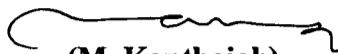
2. The respondents have filed the compliance report stating that the respondent authorities have complied with the orders of this Tribunal and as such CCP is not at all maintainable.
3. Heard both sides.
4. The point for consideration is whether the applicant is entitled for the relief as claimed for.
5. The claim of the applicant was disposed of on 29.9.2004 in O.A. No. 517/1997 with a direction to the respondent to consider appointing the applicant as EDMP within a period of two months from the date of receipt of copy of this order. No costs. The compliance order dated 10.2.2005 reveals that the authorities have considered the claim of the applicant for appointment and passed orders stating that the applicant was not entitled for appointment on the said post of EDMP, Pahla.
6. When the direction to the respondents was to consider the claim of the applicant for his appointment on the post of EDMP and accordingly the respondent authorities have considered and passed orders vide order dated 10.2.2005, and in

such circumstances, there is no act of contempt on the part of the respondents for initiating any proceedings, as such the CCP is liable for dismissal.

7. In the result, CCP is dismissed and notices are discharged.


(Dr. A.K.Mishra)

Member (A)


(M. Kanthaiah)

Member (J)

10.11.08

HLS/-