

Central Administrative Tribunal Lucknow Bench Lucknow.

CCP No. 45/2006 in O.A. No. 121/2000

This, the 10th day of September, 2008.

Hon'ble Shri M. Kanthaiah, Member (J)

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

R.S. Tewari aged about 85 years son of Sri Uma Lal Tewari retired Assistant Director (Telecom) r/o C-58, Sector A, Mahanagar, Lucknow.

Applicant.

By Advocate: Shri R.S.Gupta

Versus

1. Sri Surendra Singh Chief General Manager, Telecom, Eastern U.P. Circle, Lucknow.
2. Sri R.C. Maurya, Chief Accounts Officer (T.A.), Eastern U.P., Circle, Bhopal House, Lalbagh, Lucknow.
3. Smt. Neelam Singh, Chief Postmaster, Lucknow, GPO.

Respondents.

By Advocate: G.S. Sikarwar

ORDER

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

The applicant has filed the contempt petition for punishment of respondents on the ground that they willfully and deliberately did not comply with the order of this Tribunal dated 9.9.2005.


2. Respondent No. 1 has filed reply stating that they have complied with the orders of the Tribunal and filed the compliance reply dated 25.7.2006.

3. Heard both sides.


4. The point for consideration is whether the applicant is entitled for relief claimed for.

5. The admitted facts of the case are that the applicant filed O.A. No. 121/2000 which was partly allowed on 9.9.2005 and the respondents were directed to refund the deducted amount within two months from the date of receipt of copy of the order and also that the recovery effected was set aside. Thereafter, the applicant has filed this petition stating that the respondents have not complied with the orders of the Tribunal. On perusal of the records,

there is no material to show for which period the respondents have deducted the recovery and he has not placed any document by way of pay slip etc. Even in his contempt petition, he did not mention any thing. Without any such documents, it is not open to the applicant to seek refund of the amount from the respondents and with such vague claim, CCP is not at all maintainable. Hence, there is no merit in the contempt petition. Accordingly, CCP is dismissed and notices are discharged.


MEMBER (A)

HLS/-


MEMBER (J)
10-9-08