

**Central Administrative Tribunal
Lucknow Bench Lucknow**

Contempt Petition No.15/2007
In
Original Application No.590/2006
This, the 10th day of September 2008

HON'BLE MR. M. KANTHAIAH, MEMBER (J)
HON'BLE DR. A.K. MISHRA, MEMBER (A)

Ashutosh Bhatnagar, aged about 38 years, son of Shri Late A.K. Bhatnagar, resident of 171-A, Summer Vihar Colony, Alambagh, Lucknow, working as Data Entry Operator in EDP Center, D.R.M. Officer, Lucknow.

...Applicant.

By Advocate:- Shri K.P. Srivastava.

Versus.

Shri R.K. Gupta, Divisional Railway Manager, Northern Railway, Hazratganj, Lucknow.

... Respondents.

By Advocate:- Shri Praveen Kumar for Shri M.K. Singh.

ORDER

BY MR. M. KANTHAIAH, MEMBER (J)

The applicant filed the C.C.P. to punish the respondent on the ground that he intentionally he has not complied with the order of this Tribunal Dt. 22.12.2006.

2. The respondent have filed compliance report stating that he has complied with the order of this Tribunal Dt. 22.12.2006 and thus, prayed for dismissal of C.C.P.

3. Heard both sides.

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

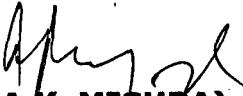
5. The admitted facts of the case are that the applicant herein filed OA No.590/2006, which was disposed of at admission stage on 22.12.2006 with a direction to the Respondent No.2 to dispose of the pending representation of the applicant covered under Ann.-2 and pass reasoned order within a



period of 45 days from the date of supply of copy of this order (Ann.-A-1). Thereafter, the applicant also sent a copy of this order to the Respondent No.2 on 02.01.2007 and then filed this C.C.P. on the ground that the respondent has not complied with the order of this Tribunal.

6. But, during the pendency of the C.C.P., the respondent has filed compliance report Dt. 23.3.2007 (Ann.-C-1) on behalf of the Respondent No.2 and subsequently, Respondent No.2 also filed letter Dt. 28.3.2007 (Ann.-C-2) stating that he has taken a decision and communicated the same to Respondent No.3 , which is Ann.-C-1 Dt. 22.3.2007. From the compliance report Ann.-C-1 Dt. 22.3.2007 and Ann-C-2 Dt. 28.3.2007, it is clear that the Respondent No.2 has considered the representation of the applicant and passed orders as per the direction given by this Tribunal Dt. 22.12.2006 and in such circumstances, there is no justification in the claim of the applicant against the 2nd Respondent. Thus, there are no merits in the C.C.P. and as such, the same deserves dismissal.

In the result, C.C.P. is dismissed. Notice is discharged.


(DR. A.K. MISHRA)
MEMBER (A)


(M. KANTHAIAH)
MEMBER (J)

10-5-08

/amit/