

**Central Administrative Tribunal  
Lucknow Bench Lucknow**

C.C.P.No.37/2007

In

Original Application No.74/2007

This, the 17<sup>th</sup> day of September 2008

**HON'BLE MR. M. KANTHAIAH, MEMBER (J)**

**HON'BLE DR. A.K. MISHRA, MEMBER (A)**

Sri N.B. Singh aged about 46 years S/o Sri Visheshwar Singh Ex. E.D.S.P.M.,  
Jalalpur Dhari, district Rae-bareilly.

...Applicant.

By Advocate:- Shri R.S. Gupta.

Versus.

1. Smt. Neelam Srivastava, Chief Postmaster General, U.P., Lucknow.

... Respondents.

By Advocate:- Dr. Neelam Shukla.

**ORDER**

**BY HON'BLE MR. M. KANTHAIAH, MEMBER (J)**

The applicant has filed this C.C.P. under Section 17 of Administrative Tribunal Act, 1985 for taking action against the respondents that they have willfully and deliberately disobeyed the orders of this Tribunal dated 21.2.2007.

2. The respondents have filed Compliance report Dt. 10.07.2007 stating that they have complied with the order of the Tribunal.

3. Heard both the parties.

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


5. The admitted facts of the case are that the applicant had filed OA, claiming relief to count the break period from 29.05.2003 to 31.12.2003 as continuous service for the purposes of promotion and for payment of salary last drawn by the applicant with all consequential benefits.. but the said OA was disposed of 21.12.2007 with a direction to the Respondent No.2 to

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consider and decide the representation covered under 6.6.2005 (Ann.-10) by passing speaking order in accordance with relevant rules within a period of three months from the date certified copy of this order together with the copy of (Ann-10) is produced before him. Ann.-A-1 is the copy of order Dt.21.0.2007. Thereafter, the applicant has submitted the same alongwith the copy of representation Dt. 6.6.2007 (Ann-10) under Ann-A-2 Dt. 2.3.2007. After service of notice in this petition, the respondents have filed compliance report stating that the authorities have complied with the order of the Tribunal and filed compliance report Dt. 10.09.2007, which shows that the authorities have considered the representation of the applicant and disposed of the same with a reasoned order.

it is the case of the applicant that the respondents have complied with only part of the order and thus, raised objection. In respect of the compliance of the orders of the Tribunal Dt. 21.2.2007, the direction was given to the Respondent No.2 to consider and decide the pending representation of the applicant Dt. 6.6.2005 with reasoned order and accordingly the respondent has passed orders and in such circumstances finding fault with such order is not at all sustainable. Thus, there are no merits in the claim of the applicants to say that the respondents have committed any act of contempt and as such, application is liable for dismissal.

In the result, C.C.P. is dismissed. Notices are discharged.

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

  
(M. KANTHAIAH)  
MEMBER (J)

17-09-08

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