

**CENTRAL ADMINISTRATIVE TRIBUNAL,
LUCKNOW BENCH,
LUCKNOW.**

Contempt Petition no. 41 of 2010

In re.

Original Application No. 6 of 2006

This the 30th day of March, 2011

Hon'ble Mr. Justice Alok Kumar Singh , Member-J

Hon'ble Mr. S.P. Singh, Member-A

Bipin Kumar Srivastava, Aged about 45 years, S/o Sri Sita Ram Srivastava, Pump Generator Operator O/o SSPOs Faizabad (at part temporary Group 'D')

.....Applicant

By Advocate : Sri R.S. Gupta

Versus.

1. Sri Kamlesh Chandra, CPMG, Lucknow.
2. Sri P.D. Shukla, SSPOs, Faizabad.
3. Sri A.K. Dixit, SPOs, Kheri

.....Respondents.

By Advocate : Sri S.P. Singh

O R D E R (Oral)

By Justice Alok K Singh, Member-J

Heard the learned counsel for the parties and perused the material on record.

2. The operative portion of the order dated 9.9.2009 passed in O.A. no. 44 of 2006 and other connected O.As is extracted here-in-below:


"Resultantly, I am of the opinion that the subsequent order dated 26.4.2004 which has been impugned in these cases is not applicable to the applicants. The instructions in the said order not to deduct the GPF amount from the salary of the applicants is hereby quashed. The Original Applications are accordingly allowed. The interim order operating in favour of the applicants is hereby confirmed. There will be no order as to costs."

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3. In compliance report, it has been said in para 4 that on 11.3.2011 the Chief Post Master General, U.P. Circle, Lucknow (Opposite party no.1) has passed an order in compliance of the orders passed by this Tribunal dated 9.9.2009. Photocopy of the order dated 11.3.2011 has also been annexed as Annexure no.CA-1. Its copy was received by the learned counsel for the applicant on 14.3.2011, but no Rejoinder affidavit has been filed till date. Therefore, we do not have any otherwise material on record to disbelieve the averments of uncontroverted affidavit. Learned counsel for the applicant, however, says that infact the respondents have not complied with the interim order which was confirmed by means of order dated 9.9.2009. But the perusal of Contempt petition shows that it has been drafted in a slipshod manner and no-where deliberate defiance of alleged interim order has been alleged. More-over, the learned counsel for the applicant is trying to express his anxiety that what will happen to the period of about two years when the GPF was not deducted either before passing of interim order or after passing of interim order, but neither such details have been brought on record, nor there is any finding thereon.

4. In view of the above, it appears that substantial compliance of the order has already been made. Contempt petition stands finally disposed of and notices stand discharged.


(S.P. Singh)
Member-A


(Justice Alok K Singh) 30.3.11
Member-J

Girish/-