

**CENTRAL ADMINISTRATIVE TRIBUNAL LUCKNOW BENCH
LUCKNOW**

**Contempt Petition No. 14 of 2013
In**

Original Application No 466 of 2006

Order Reserved on 20.2.2014

Order Pronounced on 04-03-2014

**HON'BLE MR. NAVNEET KUMAR MEMBER (J)
HON'BLE MS. JAYATI CHANDRA, MEMBER (A)**

Radhe Lal Nigam, aged about 52 years son of Sri Ram Chandra, resident of Village and Post-Veerpur(Mall), District-Lucknow.

Applicant

By Advocate Sri Dharmendra Awasthi.

Versus

1. Sri Kamlesh Chandra, presently posed as Chief Post Master General, Uttar Pradesh Circle, Lucknow.
2. Sri Schin Kishore presently posted as Director, Postal Services, Office of C.P.M.G. U.P. Circle, Lucknow.
3. Sri C. L. Verma, presently posted as Senior Superintendent of Post Offices, Lucknow Division, Lucknow.
4. Sri Mohd. Shahnawaz Akhtar, presently posted as S.S. Pos Lucknow Division, Lucknow.

Respondents

By Advocate Sri S. P. Singh.

ORDER

By Hon'ble Mr. Navneet Kumar, Member (J)

The present contempt petition is preferred by the applicant for non compliance of the order dated 29.8.2012 passed in O.A. No. 466 of 2006 whereby the Tribunal after considering the rival contentions allowed the O.A. and directed as under:-

"In view of the above, the O.A. succeeds. The order of the Disciplinary authority and appellate as well as revision authority (annexure A-1 to A-3) are hereby quashed and set aside. The applicant is entitled to reinstatement. Since, a part of the charge has stood proved even the Inquiry Authority, proportionate penalty could be imposed by the Disciplinary Authority. The applicant till reinstatement shall be treated as on 'put off duty' and the emoluments admissible during that period shall be paid."

2. The copy of the said order was duly communicated by the applicant to the respondents. After that the Union of India preferred the Review

Application which was decided vide order dated 31st October, 2012. Subsequently, the respondents preferred a Writ Petition before the Hon'ble High Court and the Hon'ble High Court after considering the submissions of the petitioners pleased to issue notice upon the private respondents and passed an order on 16.5.2013. The learned counsel for the respondents through their counter reply has indicated that in the said Writ Petition, the pleadings are exchanged and the Writ Petition is ripe up for final hearing.

3. The learned counsel for the applicant has categorically pointed out that despite this fact, the respondents did not get any interim relief from the Hon'ble High Court, but despite that they have not complied the order of the Tribunal.

4. Considering the submissions made by the learned counsel for the parties, since the Writ Petition is pending before the Hon'ble High Court, let this Contempt Petition be kept sine die with liberty to the parties to get it revive after the disposal of the Writ Petition No. 173 (SB) of 2013 preferred before the Hon'ble High Court.

J Chandra

(Ms. Jayati Chandra)
Member(A)

Navneet Kumar

(Navneet Kumar)
Member(J)

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