

Central Administrative Tribunal, Lucknow Bench, Lucknow  
Contempt Petition No. 47/2004 in O.A. No. 478/2003

Lucknow this the 5<sup>th</sup> day of August, 2004

HON'BLE SHRI S.P. ARYA, MEMBER (A)

HON'BLE SHRI M.L. SAHNI, MEMBER (J)

R.N. Bhatia aged about 62 years son of Sri Chaudhari  
Harnarain Bhatia resident of 3/36, Vishwas Khand, Gomti  
Nagar, Lucknow.

...Applicant

By Advocate: In person

Versus

Sri Pradeep Shukla, Principal Secretary, Department of  
Appointments, Govt. of u.p., Civil Secretariat, Lucknow.

....Respondents

By Advocate: Sri Raj Singh for Sri A.K. Chaturvedi

ORDER

BY HON'BLE SHRI S.P. ARYA, MEMBER (A)

By order dated 18.3.2004 in O.A. No. 478/2003,  
respondents were directed to pass the order under Rule  
5B of All India Service (Disciplinary and Appeal) Rules, 1969  
within a period of 2 months from the date of communication  
of this order with regard to admissibility of salary and  
period of suspension to be treated as duty or not, as per  
rules.

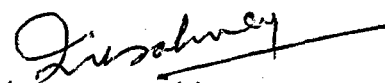
2. On non-compliance of the order, the applicant  
filed a contempt petition. The applicant was also held  
entitled to 6% interest on the delayed payment of leave  
encashment.

3. We have heard the applicant in person and counsel  
for respondents and perused the pleadings.

4. On perusal of the records, it is clear that the  
respondents on 6th July, 2004 have passed the order for  
payment of 6% interest on delayed payment of leave  
encashment. Further on 3rd August, 2004, the respondents  
have also passed the orders with regard to the admissibility

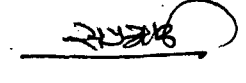
of pay and allowances during suspension. The applicant has also been asked to submit the objection, if any, to these orders as per provision of Rule 5B of All India Service (Disciplinary and Appeal) Rules, 1969.

5. Having heard the applicant in person and counsel for respondents, we are of the considered opinion that the orders <sup>have</sup> ~~are~~ substantially <sup>been</sup> ~~being~~ complied with. No contempt is made out. CCP is dismissed and notices are discharged.

  
(M.L.Sahni)

Member (J)

HLS/-

  
(S.P.Arya)

Member (A)