

**Central Administrative Tribunal Lucknow Bench Lucknow**

**Contempt Petition No. 79/2006**

**IN**

**Original Application 369/1990**

**Lucknow this, the 1<sup>st</sup> day of September, 2009**

**Hon'ble Ms. Sadhna Srivastava, Member (J)  
Hon'ble Dr. A. K. Mishra, Member (A)**

1. Markandey Prasad Pandey, aged about 51 years, son of late Shri Raj Kishore Pandey, R/o 548/5 258, Mardan Kheda, Rajajipuram, Lucknow.
2. Ajay Kumar Pandey, aged about 29 years, son of Shri Markandey Prasad Pandey, R/o 548/5 258, Mardan Kheda, Rajajipuram, Lucknow.
3. Brijesh Kumar Pandey, aged about 25 years, son of Shri Markandey Prasad Pandey, R/o 548/5, Mardan Kheda, Rajajipuram, Lucknow.

**Applicant**

**By Advocate None.**

**Versus**

1. Sri Prakash, General Manager, Northern Railway, Baroda House, New Delhi.
2. Shri Chahtey Ram, DRM, Northern Railway, Hazratganj, Lucknow.
3. Smt. Renu Sharma, Senior Divisional Personnel Officer, Northern Railway Hazratganj Lucknow.

**Respondents.**

**By Advocate Sri S. Verma.**

**Order (Oral)**

**By Hon'ble Ms. Sadhna Srivastava, Member (J)**

None for the applicant even on the revised list. Earlier also on 22<sup>nd</sup> July 2009, none was present on behalf of the applicant. Heard Sri S. Verma, counsel for the respondents.

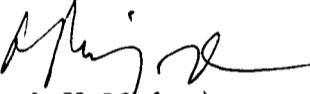
2. The instant contempt petition has been filed alleging non-compliance of the order dated 14<sup>th</sup> September 2005 whereby, this Tribunal has directed the respondents to consider the claim of the deceased railway servant in the light of the pay sheets, chart and other particulars available on record and pass reasoned and speaking order. Show cause reply has been filed by the respondents stating therein

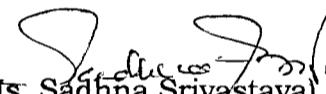


that in pursuance of the direction given by this Tribunal, the case of the applicant has been considered by the respondents by speaking order dated 4.11.2006. The order dated 4.11.2006 is on record along with counter affidavit filed by the respondents,

3. We have gone through the show cause reply as well as the speaking order. The respondents have considered the claim of the applicant and decided the same by reasoned and speaking order. Therefore, no willful disobedience can be attributed to the alleged contemnor. The only course open to the applicant, if so advised is to file fresh O.A. justifying his claim. Therefore, the order passed by this Tribunal has been complied with by the respondents.

4. Accordingly, CCP is dismissed. Notices issued stands discharged.

  
(Dr. A. K. Mishra)  
Member (A)

  
(Ms. Sadhna Srivastava)  
Member (J)

Vidya