

**Central Administrative Tribunal
Lucknow Bench Lucknow**

**Contempt Petition No.30/2008
In
Original Application No.61/2008
This, the ^{03rd} day of June 2009**

**HON'BLE MR. M. KANTHAIHAH, MEMBER (J)
HON'BLE DR. A.K. MISHRA, MEMBER (A)**

Durgesh Bahadur Singh, aged about 49 years S/o Sri Cheddi Singh R/o
775/02 Sayeeyadganj Near Railway Model Colony Raebareli.

...Applicant.

By Advocate:- Shri P.K. Shukla.

Versus.

1. Sri Neeraj Sharma, Senior Divisional Commercial Manager,
Northern Railway, Lucknow, Hazratganj, Lucknow.
2. Smt. Renu Sharma, Senior Divisional Personnel Officer, (ADJ)
Northern Railway Lucknow Hazratganj, Lucknow.

... Respondents.

By Advocate:- Shri B.B. Tripathi for Shri M.K. Singh.

ORDER

BY MR. M. KANTHAIHAH, MEMBER (J)

The applicant has filed the Contempt petition under Section -17
of Administrative Tribunal Act, 1985 read with Section 12 of Contempt
of Court Act, 1971 to punish the respondents on the ground that they
have willfully disobeyed the order of this Tribunal dt. 08.02.2008.

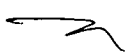
2. The respondents have filed compliance report stating that the order of this Tribunal dt. 08.02.008 have been complied with by the authorities and there is no act of contempt on the part of the respondents.

3. Heard both sides.

4. The point of consideration is whether the applicant is entitled for the relief as prayed for.

5. The brief facts of the case are that the applicant filed O.A.No.61/2008, claiming payments alongwith interest in respect of over time period and the same was decided on 08.02.2008 with a direction to the Respondent NO.2 and 4 to dispose of the pending representation of the applicant dt. 14.08.2007 (Ann.-A-9) as per rules with a reasoned order. Thereafter, the applicant has filed the present CCP on the ground that inspite of supply of the copy of the order dt. 08.02.2008 the authorities have not passed any order and thus, willfully disobeyed the direction of this Tribunal. But, the respondents have field compliance report stating that in pursuance of the direction of this Tribunal dt. 08.02.2008, they have considered the claim of the applicant and passed order dt. 27.5.2008 (Ann.-CR-1) rejecting his claim and the same has been communicated to the applicant.

6. This Tribunal gave direction to the respondents to consider the pending representation of the applicant dt. 14.08.2007 in respect of his claim for over time period and the respondent authorities have considered such representation of the applicant and passed order dt. 27.5.2008 (Ann.-CR-1) rejecting his claim. The direction given to the respondents was only to consider his claim and the authorities have also considered such claim of the applicant and passed order dt.



27.05.2008. If the applicant is aggrieved with such finding of the respondent authorities, he is at liberty to file fresh OA and thus there is no act of contempt on the part of the respondents for initiating any action against them and with this observations, CCP is dismissed. Notices are discharged.

A. K. Mishra 03/06/09
(DR. A.K. MISHRA)
MEMBER (A)

M. Kanthiah
(M. KANTHAI AH)
MEMBER (J)
03-06-2009

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