

Central Administrative Tribunal Lucknow Bench Lucknow.

CCP No. 52/2008 in O.A. No. 226/2008

This, the 27th day of August, 2008.

Hon'ble Shri M. Kanthaiah, Member (J)
Hon'ble Sri A.K. Mishra, Member (A)

Suresh Kerketa aged about 55 years son of Lt. G.Kerketa, R/o Railway Bunglow No. Langra Phatak, Manak Nagar, Lucknow.

Applicant.

By Advocate: Shri R.K.Mishra

Versus

1. Sri K.K. Bajpai son of not known Chief Workshop Manager, C&W Shop, Northern Railway, Alambagh, Lucknow.

Respondents.

By Advocate:

ORDER (ORAL)

By Hon'ble Shri M. Kanthaiah, Member (J)

Counsel for applicant has filed CCP on the ground that respondent No. 3 has not rendered compliance to the order of this Tribunal dated 24.6.2008 within stipulated period of time. He has also enclosed copy of rejection order (Annexure 3) dated 29.7.2008 passed by the office of respondent No. 3.

2. It is the case of the applicant that there was delay of 15 days in disposal of the said representation and the counsel also submits that the rejection order, though issued from the office of respondent No. 3, it was signed by some other officer.

3. Admittedly, the rejection order Annexure -3 dated 29.7.2008 has been issued from the office of respondent No. 3 ; there is no justification in taking objection on the ground that the same has been signed by other officer on behalf of respondent No. 3. In respect of second ground, that there was delay

-2-

of 15 days, when the authority has issued orders in compliance with the direction, he cannot be faulted only on the ground of delay. As such contempt on the part of the respondent No. 3 does not arise and there is no ^{of 15 days} prima facie case for taking cognizance of CCP. Hence CCP is rejected and applicant is at liberty to file whatever objection in their fresh O.A.


MEMBER (A)


MEMBER (J)

HLS/-