

**Central Administrative Tribunal, Lucknow Bench,**

**Lucknow**

**Civil Contempt Petition No. 52 of 2009**

**In**

**Original Application No. 225 of 2008**

This the 17<sup>th</sup> of September, 2009

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

**Hon'ble Dr. A.K. Mishra, Member(A)**

Subhash Chandra Tirpathi, Aged about 53 years, S/o Badri Prasad Tripathi, R/o 615/252 Gayatri Nagar, Lucknow at present working as Wireman, Azamgarh in the O/o SSPOs, Azamgarh.

...Applicant

By Advocate: Sri R.S. Gupta

**Versus**

Sri Shyam Narain Sharma, SSPOs, Azamgarh.

.....Respondent

By Advocate: Sri S.P. Singh

**ORDER** (oral)

**By Ms. Sadhna Srivastava Member-A**

This contempt petition has been filed against the respondent alleging non-compliance of the judgment and order dated 4.2.2009 passed in O.A. no. 225 of 2008. While setting-aside the impugned orders, this Tribunal had directed the respondents to refund the excess amount recovered from the applicant. The compliance report has been filed by the respondents stating therein that the excess amount recovered from December, 2006 to June, 2009 has been refunded to the applicant vide order dated 14.7.2009, a copy of which has been filed as Annexure CR-2 to the



Compliance report whereby an amount of Rs. 65,000/- has been paid to the applicant as appears from Annexure CR-3 to the compliance report.

2. In view of the assertions made in the compliance report, we are of the opinion that the orders passed by this Tribunal has already been complied with, therefore, no case is made out against the respondent. The Contempt petition is dismissed and notice issued to the respondent stands discharged. It is, however, open to the applicant that in case the payment has not yet been received by the applicant, he may file an application for revival of this contempt petition.

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

  
**(Ms. Sadhna Srivastava)**  
**Member-J**

Girish/-