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CENTRAL ADMINISTRATIVE TRIBUNAL, LUCKNOW BENCH

Lucknow this the 25th Oct., 1994

C.C.P.No. 75 of 1992(L)

HON. MR. V.K. SETH, MEMBER(A)

HON. MR. D.C. VERMA, MEMBER(J)

Abdul Hafeez Siddiqui, aged about 36 years, son of Shri Abdul Rashid Siddiqui, resident of H.No. 60/61 Raza Manzil, Bashiratganj, Lucknow.

Petitioner.

By Advocate Shri Surendran P.

versus

1. Shri Shafiqur-Rahman Farooqui, Chief Post Master General, U.P. Circle, Lucknow.
2. Shri Ishwardeen, Senior Superintendent, P.M.S. 'O' Division, Lucknow.

Respondents.

By Advocate Shri A.K. Chaturvedi.

O R D E R

(HON. MR. V.K. SETH, MEMBER(A))

By this Contempt petition the applicant has prayed for initiation of contempt proceedings against the opposite parties for non compliance of orders of this Tribunal dated 4th of November, 1991 passed in O.A. 400/91. Counter Affidavits have been filed on behalf of both the opposite parties named in the petition.

2. We have heard the learned counsel for the parties and also perused the records. The operative portion of the order of this Tribunal dated 4.11.91 reads as under;

"The applicant has already filed representation before the Departmental authority against the said termination. The Departmental

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Authority may dispose of the representation of the applicant within 3 months. Taking into consideration the facts and circumstances of the case, it will be open for the respondents to consider the applicant's case."

3. From the averments made in the Counter Affidavits it is seen that the representation of the applicant against the order of termination dated 17.5.88 was disposed of by the Chief P.M.G. on 9.2.90, inter alia, quashing the termination order passed against the applicant. It was further directed ~~by the respondents~~ that regular proceedings under rule 14 of the C.C.S. (C.C.A.) Rules should be initiated against the applicant as per rule 4. Enclosure with the Counter Affidavit of Respondent No. 2 shows that in compliance to the orders of the Chief P.M.G. the applicant has been taken back on duty without prejudice to the final action taken in the disciplinary case.

4. No R.A. has been filed by the applicant and the learned counsel for the applicant fairly conceded that the compliance of the judgment and order of this Tribunal has already been made and also stated that in case he has any grievance against the final outcome of the disciplinary proceedings, he will consider filing of fresh O.A. at the appropriate stage.

5. In view of the fact that effective compliance of the judgment and order of this Tribunal, as referred to above has already been made, this Contempt petition lacks merit and is accordingly dismissed. Notices issued to the respondents are hereby discharged.

  
MEMBER (J)

  
MEMBER (A)

Lucknow: Dated: 25.10.94.  
Shakeel/