

**THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR
ORDER SHEET**


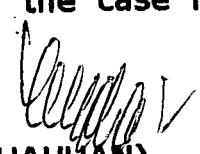
APPLICATION NO.: _____

Applicant (S)

Respondent (S)

Advocate for Applicant (S)

Advocate for Respondent (S)

NOTES OF THE REGISTRY	ORDERS OF THE TRIBUNAL
	<p><u>10.07.2009</u></p> <p><u>CP 1/2009 (OA No. 486/2003) with MA 190/2009</u></p> <p>Mr. P.N. Jatti, Counsel for applicant. Mr. T.P. Sharma, Counsel for respondents.</p> <p style="text-align: center;">Heard learned counsel for the parties.</p> <p style="text-align: center;">For the reasons dictated separately, the case is disposed of.</p> <div style="display: flex; justify-content: space-between;"><div style="text-align: center;"> (B.L. KHATRI) MEMBER (A)</div><div style="text-align: center;"> (M.L. CHAUHAN) MEMBER (J)</div></div> <p>AHQ</p>

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH

Jaipur, this the 10th day of July, 2009

CONTEMPT PETITION NO. 01/2009
IN
ORIGINAL APPLICATION NO. 486/2003
WITH
MISC. APPLICATION 190/2009

CORAM:

HON'BLE MR. M.L. CHAUHAN, JUDICIAL MEMBER
HON'BLE MR. B.L. KHATRI, ADMINISTRATIVE MEMBER

R.N. Vijay son of Shri Mohan Lal by caste Vijay, aged about 55 years,
resident of 21, Govind Nagar, Jaipur. Presently retired as SA HSG
Jaipur, Railway Mail Services, Jaipur.

.....APPLICANT

(By Advocate: Mr. P.N. Jatti)

VERSUS

1. Shri S. Gorior, Chief Post Master General, Rajasthan Circle,
Jaipur.
2. Shri B.L. Bhati, Senior Superintendent, RMS, Jaipur Division,
Jaipur.

.....RESPONDENTS

(By Advocate: Mr. T.P. Sharma)

ORDER (ORAL)

The applicant has filed this Contempt Petition for the alleged violation of the order dated 16.04.2004 passed in OA No. 486/2003, which order has also been affirmed by the Hon'ble High Court when the Writ Petition filed by the respondents was dismissed vide order dated 20.01.2008.

2. Notice of this Contempt Petition was given to the respondents. The respondents have filed their reply today, which is taken on record. Along with the reply, the respondents have also annexed copy of the order dated 08.07.2009, perusal of which shows that Sr. Superintendent RMS, Jaipur Division, Jaipur has accorded the

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sanction for the payment of a sum of Rs.18,483/- to the applicant i.e. Rs.16,483/- on account of recovery from DCRG and a cost of Rs.2000/- as ordered by the Hon'ble CAT, Jaipur Bench, subject to the outcome of the SLP filed by the Government.

3. In view of the order dated 08.07.2009, we are of the view that the present Contempt Petition does not survive, which is accordingly disposed of. Notices issued to the respondents are hereby discharged.

4. Learned counsel for the applicant submits that in fact the Department has recovered much more than the amount of Rs.16,483/-, as mentioned in the order dated 08.07.2009, which is required to be refunded in terms of the aforesaid order of the Tribunal. Suffice it to say that if the applicant is still aggrieved by the order dated 08.07.2009, it will be permissible for him to file substantive OA.

5. In view of the order passed in the Contempt Petition, no order is required to be passed in MA No. 190/2009, which is also disposed of accordingly.


(B.L. KHATRI)
MEMBER (A)


(M.L. CHAUHAN)
MEMBER (J)

AHQ