

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR

CP 64/2003
(OA 4/2001)

DATE OF ORDER: 20.11.2003

P.C. Sharma, son of Late Shri Sharwan Lalji Sharma aged about 56 yrs.
President of C-2, Ambawati, Jaipur.

.... Applicant.

VERSUS

1. Shri Ajeet Singh, The Central Provident Fund Commissioner, Hudco Bishala, 14 Bhikhaji Cama Place, New Delhi.
2. Shri S.L. Srivastava, The Regional Provident Fund Commissioner, Nidhi Bhawan, Jyoti Nagar, Jaipur.
3. Shri V.K. Pathak, Manager (CII), State Bank of India, Sangani Gate, Jaipur.

.... Respondents.

Mr. A.N. Gupta, Counsel for the applicant.

CORAM:

Hon'ble Mr. J.K. Kaushik, Member (Judicial)

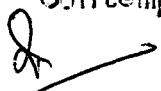
Hon'ble Mr. A.K. Bhandari, Member (Administrative)

ORDER

PER HON'BLE MR. J.K. KAUSHIK

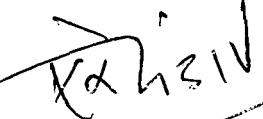
The learned counsel for the applicant has filed this Contempt Petition complaining non compliance of the order of this Bench of the Tribunal passed on 9.1.2001 (Annexure CP/1) which came to be confirmed vide order dated 2.5.2001 (Annexure CP/2). As per the interim order, it was ordered that there shall be stay of recovery till the next date of hearing. The learned counsel for the applicant strived hard and ~~and endeavored~~ to submit that the respondents have resorted to make recovery from the pension of the applicant from August, 2002. On the other hand, he has submitted that the applicant has been paid reduced pension with the consultation of the applicant, who is present in the court. The learned counsel has submitted that even in reduction of the pension cannot be done and that also tantamount to the ~~recovery~~ recovery.

2. We are unable to subscribe with the views of the learned counsel for the applicant. However, as far as merit of the case is concerned as to whether any reduction in pension can be made that is the subject matter of the OA and ~~it~~ cannot be examined in this Contempt Petition.



3. In this view of the matter, we are not persuaded with the contention of the learned counsel for the applicant and are of the firm opinion that no Contempt has been committed ~~and~~ the order of the Tribunal has not ~~been~~ flouted.

4. In this view of the matter, the Contempt Petition is dismissed.


(A.K. BHANDARI)
MEMBER (A)


(J.K. KAUSHIK)
MEMBER (J)