

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH

Jaipur, this the 04th August, 2008

CONTEMPT PETITION NO. 36/2006
IN
ORINATION APPLICATION NO. 416/2005

CORAM:

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

Mangtu Ram Gupta son of Late Shri Umrao Singh aged about 71 years, resident of 11/31, Near Bank of Baroda, Vaishali Nagar, Ajmer. Retired from the post of Assistant Accountant and beneficiary of Railway Employees liberalized Health Scheme.

....APPLICANT

(By Advocate: Mr. C.B. Sharma)

VERSUS

1. Shri M.B. Bhattacharya, General Manager, North Western Zone, North Western Railway, Jaipur.
2. Shri Ram Singh Meena, Officiating Chief Medical Director, North Western Railway, Jaipur.
3. Shri I.P. Keshwani, Chief Medical Superintendent, North Western Railway, Railway Hospital, Ajmer.

.....RESPONDENTS

(By Advocates: Mr. Anupam Agarwal)

ORDER (ORAL)

The applicant has filed this Contempt Petition for the alleged violation of the order dated 28.07.2006 passed in

OA No. 416/2005.

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2. Notice of this Contempt Petition was given to the respondents. Respondents have filed reply. In the reply, it has been stated that ~~Respondents have~~ DB Civil Writ Petition No. 7560/2006 was filed before the Hon'ble High court of Rajasthan, Jaipur Bench against the impugned judgement of this Tribunal dated 28.07.2006 and in the meanwhile, contempt proceedings were stayed vide order dated 01.11.2006. It is further stated that Writ Petition filed by the respondents was dismissed by the Hon'ble High Court vide its order dated 19.09.2007. Thereafter, necessary steps for complying the order of this Tribunal were taken. Accordingly, a sum of Rs.17,346/- has been release to the applicant vide Cheque No.363439 dated 28.11.2007. Thus according to the respondents, order of this Tribunal has been complied with.


3. Learned counsel for the applicant submits that out of Rs.30,403/- only Rs.17,346/- has been paid to the applicant.


4. We have given due consideration to the submission made by the learned counsel for the applicant. We are of the view that in case the applicant has ~~not~~ been paid less amount, this is not the subject matter of the Contempt

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Proceedings and for that purpose; the applicant can agitate the matter by filing substantive OA. Further, it will be permissible for the applicant to seek relevant information from the Department as to on what basis remaining amount was rejected.

5. With these observations, the Contempt Petition is disposed of. Notices issued to the respondents are hereby discharged.


(B.L. KHATRI)
MEMBER (A)


(M.L. CHAUHAN)
MEMBER (J)

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