

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
JAIPUR BENCH

Jaipur, this the 08<sup>th</sup> September, 2008

**CONTEMPT PETITION NO. 33/2008**

**IN**  
**ORIGINATION APPLICATION NO. 432/2007**

**CORAM:**

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

Radhey Shyam Naruka son of Shri Dara Singh aged about 62 years, resident of Village & Post Jawali Via Laxmangarh, District Alwar. Retired from the post of Mail Overseer-II, Rajgarh Sub Post Office, District Alwar on 30.06.2005.

.....APPLICANT

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

VERSUS

1. Shri Santosh Gauriar, Chief Post Master General, Rajasthan Circle, Jaipur.
2. Shri B.L. Meena, Senior Superintendent of Post Offices, Alwar Division, Alwar.
3. Shri Sanjeev Gupta, Sub-Divisional Inspector (Postal) Rajgarh, District Alwar.

.....RESPONDENTS

By Advocates : (Mr. Kamal Parswal with Mr. Gaurav Jain)

**ORDER (ORAL)**

The applicant has filed this Contempt Petition for the alleged violation of the order dated 12.12.2007 whereby this Tribunal has directed the Disciplinary Authority to take appropriate action on the representation submitted by the applicant, to the inquiry report submitted by D.O.

2. Since the aforesaid order was not complied with by the respondents within the time allowed by this Tribunal and also within the extended time, notices were issued to the respondents. The respondents have filed reply. Along with the reply, the respondents have annexed a copy of the order dated 13.08.2008 (Annexure CP R/1) wherein it has been stated that the proceedings which was continuing under Rule 9 of the CCS (Pension) Rules, 1972 against the applicant has been dropped as according to the competent authority, the charges which have been framed against the applicant cannot be construed as 'grave misconduct' justifying continuation of the proceedings under Rule 9 of the CCS (Pension) Rules, 1972. Further according to the respondents, the retrial benefits have also been paid to the applicant on 05.09.2008.

3. In view of this development, the present Contempt Petition does not survive. In case the applicant is still aggrieved that certain amount has to be paid by the respondents or the retrial benefits has not been correctly paid to the applicant, it will be open for the applicant either to make a representation within a period of two weeks and on receipt of such representation, the respondents will examine and pass appropriate order within six weeks from the date of receipt of a copy of such representation or to file a substantive OA.

4. 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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