

(RESERVED ON 10.09.2018)

**CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH
ALLAHABAD**

This is the **30th** day of **OCTOBER, 2018**.

**CONTEMPT PETITION NO. 330/183/2016
IN
ORIGINAL APPLICATION NO. 330/1092/1987**

**HON'BLE MR RAKESH SAGAR JAIN, MEMBER (J).
HON'BLE MR MOHD. JAMSHED, MEMBER (A).**

1. Raju aged about 40 years, Son of Shri Chiranji Lal, Resident of H. No: 46, Devi Ganj, Harjinder Nagar, Chakeri, Kanpur Nagar.
.....Applicant.

VERSUS

1. B.K. Kumar, Air Commdr, Air Officer Commanding, A.F. Chakeri, Kanpur Nagar.
.....Respondents

Advocate for the Applicant : Shri R K Shukla

Advocate for the Respondents : Shri L P Tiwari

ORDER
(Delivered by Hon'ble Mr. Mohd. Jamshed, Member-A)

This contempt petition is filed against the order dated 07.09.1992 passed by this Tribunal in OA No. 1092 of 1987 which directed the respondents as under:-

"....respondents are directed to provide job to the applicant also as a Government employee at Kanpur, or to shift him to some other Canteen in case the strength of the Canteen cannot be increased or if some-one is prepared to go out of the Canteen, the applicant can be accommodated against such employee. Let a decision in this regard be taken within a period of 3 months from the date of communication of this order. No order as to costs."

2. The respondents also filed Writ Petition no. 53134 of 2000 before the Hon'ble Allahabad High Court which was dismissed vide order dated 20.07.2016. Thereafter, compliance report dated 11.05.2017 was filed by the respondents informing that in terms of the order dated 07.09.1992 passed in OA No. 1092 of 1987, the applicant has been appointed against the post of Washer-up at Industrial Canteen, AF, Station, Kanpur w.e.f., 22.10.1980.

3. On 29.01.2018, in view of the pleading of the applicant that the respondents are paying only basic pay and allowances, the respondents were directed to ascertain the facts from the department and apprise the Tribunal on the next date.

4. On 12.07.2018, learned counsel for the respondents submitted that the order passed by this Tribunal has already been complied with. However, learned counsel for the applicant submitted that he has not received the second compliance report filed on 21.05.2018. Hence, the learned counsel for the respondents was directed to hand over copy of the second compliance report to the learned counsel for the applicant and in case, there was any objection, learned counsel for the applicant was granted two weeks time to file objection mentioning on what point the order was not complied with.

5. Heard the learned counsels for both the parties and perused the record.

6. From the second compliance report dated 18.05.2018 submitted by the respondents, it is clear that all the allowances are being paid to the applicant with salary of February, 2018.

7. In view of the above, we find that the order of this Tribunal has been fully complied with by the respondents. Accordingly, the contempt petition is dismissed and the notices issued stand discharged.

(MOHD JAMSHED)
MEMBER-A

(RAKESH SAGAR JAIN)
MEMBER-J

Arun..