

(RESERVED ON 05.12.2018)

**CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH
ALLAHABAD**

This is the 10th day of **JANUARY, 2019.**

**CONTEMPT PETITION NO. 330/74/2018
IN
ORIGINAL APPLICATION NO. 330/1612/2017**

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

1. Vijay Pal Singh, Son (Late) Partu Singh, Presently Posted as Sub Post Mater Kheda Bajheda, District Shahjahanpur.
.....Applicant.

VERSUS

1. Mr. Anant Narayan Nanda, Secretary, Department of Post, Dak Bhawan, New Delhi.
2. Mr. R.K.B. Singh, Post Master General, Bareilly Region.
3. Mr. Shanker Prasad, Director Postal Services, Bareilly Region, Bareilly.
4. Mr. Nasimuddin, Superintendent of Post Offices, Shahjahanpur Division, Shahjahanpur.
.....Respondents

Advocate for the Applicant : Shri Vikas Goswami

Advocate for the Respondents : Shri L P Tiwari

O R D E R

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

This contempt petition no. 74 of 2018 has been filed by the applicant for non compliance of the interim order dated 19.01.2018 passed by this Tribunal in OA No. 1612 of 2017. The operative portion of the order is as under:-

"In view of the order dated 24.01.2017 passed in OA No. 330/81/2017 the respondents are directed not to make any recovery from the applicant in pursuance to the impugned order dated 31.05.2017 till the next date"

2. Notices were issued to the respondents on 23.04.2018 and the matter was listed for 30.07.2018. On 30.07.2018, learned counsel for the respondents submitted that he has filed stay vacation application in OA No. 1612 of 2017, which should be decided first before deciding this contempt petition and the Tribunal directed that the matter be listed for

01.08.2018. On 01.08.2018, the Tribunal heard the stay vacation application in the OA and dismissed the same directing, the respondents to comply with the interim order and file compliance affidavit in the contempt petition within three weeks time.

3. During the arguments on 05.12.2018, it was stated by the learned counsel for the applicant that despite this Tribunal's interim order dated 19.01.2018, the recovery has not been stopped and therefore, this contempt application was filed.

4. Learned counsel for the respondents in their compliance affidavit filed on 04.07.2018 has brought out the reasons for delay in implementing the order passed by this Tribunal. In the compliance affidavit filed on 04.09.2018, it has been stated that this Tribunal listed the matter on their request for deciding the stay vacation application and vide order dated 01.08.2018 the stay vacation application was dismissed and the respondents were directed to comply the order and file compliance affidavit, which has been done.

5. From the compliance affidavit dated 04.09.2018, it is confirmed that the recovery has been stopped in compliance of the order dated 19.01.2018 and pay slip of the applicant for the month of August 2018 has also been annexed confirming the same. The respondents have also apologized for the delay in compliance of the order.

6. 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