

Reserved

**CENTRAL ADMINISTRATIVE TRIBUNAL,
ALLAHABAD BENCH, ALLAHABAD**

Allahabad, this the 11th day of December, 2018

Present:

Hon'ble Rakesh Sagar Jain, Member (J)

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

Contempt Petition No. 330/95/2018

In

Original Application No. 1242 of 2015

(U/S 19, Administrative Tribunals Act, 1985)

Harish Chandra Verma
S/o late Saral Verma
aged about 63 years
R/o Village and Post Kharauni.

.....Applicant.

By Advocates – Shri B. N. Singh.

VERSUS

Sri Dr. Arun Kumar Yadav, Supdt. of Post Offices, Balia

..... Respondents.

By Advocate : Shri R. K. Srivastava

ORDER

Delivered by Hon'ble Mr. Rakesh Sagar Jain :

Heard Shri B. N. Singh, learned counsel for the applicant and
Shri R. K. Srivastava, learned counsel for the respondents.

2. This order disposes of the Contempt Petition wherein applicant Harish Chandra Verma has alleged that respondent has not complied with the order dated 10.01.2018 passed by this Tribunal in O.A. No.1242/2015 and thereby committed contempt of this Tribunal.

3. As per order dated 10.01.2018 the matter was remanded back to the disciplinary authority to reconsider the matter in light of the grounds taken by the applicant in his reply dated 05.09.2014 and pass a fresh order in the disciplinary proceedings within a period of two months. The non applicant however, decided the matter vide order dated 04.06.2018 by way of reasoned order.

4. We have heard and considered the arguments of learned counsels for the parties and gone through the material on record.

5. Undoubtedly, the compliance has been effected by the respondent but it is beyond the period fixed by the Tribunal. In this regard, respondent in his affidavit has tendered an unconditional apology for the delay in the finalization of the disciplinary report.

6. Undoubtedly, the order was passed by respondent after the period fixed by the Tribunal, however, respondent has apologized for the same. Looking to the averment regarding the apology in the affidavit filed by learned counsel for respondent, we are of the opinion that there has been substantial compliance with the order of the Tribunal. In these circumstances the contempt proceedings are dropped.

7. In view of the above submission Contempt Petition is dismissed. Notices issued to the respondents are discharged.

(MOHD. JAMSHED)
MEMBER-A

(RAKESH SAGAR JAIN)
MEMBER -J

/Shashi/