

Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD  
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**Contempt Petition No. 330/00118/2017**

**In**

**Original Application No. 1618 of 2005**

**Allahabad this the 08<sup>th</sup> day of January, 2019**

**Hon'ble Ms. Ajanta Dayalan, Member- A  
Hon'ble Mr. Rakesh Sagar Jain, Member- J**

Ram Pyare Lal Srivastava, aged about 90 years, son of Late Achuta Lal Srivastava, resident of Village Dhanauti, Post office Baidauli, District Deoria, Retired Head Transit Clerk, North Eastern Railway, Goarkhpur.

**Applicant**

**By Advocate: Mr. K.K. Mani**

**Vs.**

1. Pratik Kumar Singh, Senior Divisional Finance Manager, North Eastern Railway, Varanasi.
2. Sanjay Pandey, F & Co., Finance Advisor and Chief Accounts Officer (Pension), North Eastern Railway, Gorakhpur.

**Respondents**

**By Advocate: Mr. Rajesh Pandey**

**O R D E R**

**Delivered by Hon'ble Ms. Ajanta Dayalan, A.M.**

None for the applicant even in the revised call. Shri Rajesh Pandey, Counsel for the respondents is present.

2. Counsel for the respondents states that the order of Tribunal dated 24.08.2016 has been complied with. By this order, the Tribunal had ordered that the PPO dated 09.07.1985 be allowed to continue and the entire amount

deducted from pension of applicant be returned back to the applicant within two weeks without interest and with 12% interest thereafter. The railways were also directed to correct and revise the PPO with prospective effect from the date of notice.

3. Counsel for the respondents states that in compliance of order of this Tribunal, the respondents have passed the order dated 14.09.2017 and have deposited the amount of recovery as well as interest thereon in the bank account of applicant. The revised PPO has also been issued as per submission made in compliance affidavit.

4. It is observed that the compliance affidavit was filed on 25.10.2017. Thereafter, the applicant was given two weeks time to file reply on 31.01.2018. On 25.04.2018 at the request of counsel for applicant, case was adjourned. Thereafter, on 25.07.2018 counsel for the applicant has requested for time to file objection against the compliance affidavit and two weeks time was allowed for the purpose. Again on 06.09.2018, counsel for the applicant has requested for adjournment on personal ground. Today also applicant counsel is not present and he has failed to file any objection to the compliance affidavit.

5. We have gone through the compliance affidavit and order dated 14.09.2017 and we feel that the compliance has

been substantially made by respondents and there is no wilful disobedience on the part of respondents.

6. As such, contempt petition is dismissed and notices issued to the respondents are discharged.

(Rakesh Sagar Jain)  
Member – J

(Ajanta Dayalan)  
Member- A

/M.M/