

**Central Administrative Tribunal
Principal Bench, New Delhi**

C.P. No.77/2019 in O.A. No.2725/2016

Monday, this the 15th day of April 2019

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. Pradeep Kumar, Member (A)**

Ramesh Chandra Srivastava
Aged about 60 years
s/o late Sh. B L Srivastava
Ex CLA, N Railway, New Delhi
r/o 153, Vasundhara, Sector 11
Ghaziabad

...Applicant

(Mr. P S Khare, Advocate)

Versus

Dr. Vinay Kumar
Chief Medical Director
Northern Railway
Baroda House, New Delhi

...Respondent

(Mr. A K Srivastava, Advocate)

O R D E R (ORAL)

Justice L. Narasimha Reddy:

The applicant filed O.A. No.2725/2016 in the context of reimbursement of medical bills. By the time the O.A. was filed, the competent authority has taken a view that the appeal preferred by the applicant was pending before the concerned authority. The O.A. was disposed of 12.02.2018 directing the appellate authority to pass order on the appeal preferred by the applicant, within a period of three months from the date of receipt of a copy of the order. This contempt case is filed alleging that the respondents did not implement the directions issued by this Tribunal.

2. Today, learned counsel for respondents placed before us a copy of the order dated 02.07.2018, through which the appellate authority rejected the appeal of the applicant.

3. We heard Mr. P S Khare, learned counsel for applicant and Mr. A K Srivastava, learned counsel for respondents.

4. We take serious exceptions to the indifference on the part of the respondents. If in fact the order was passed on 02.07.2018, they were expected to serve a copy thereof on the applicant. In such an event, necessity for filing the contempt case would not have arisen at all. However, now that the order is passed by the appellate authority, nothing remains to be decided in the contempt case.

5. We, therefore, close this contempt case. If the applicant is not satisfied with the order dated 02.07.2018, it shall be open to him to pursue the remedies, in accordance with law. The order dated 02.07.2018 shall be deemed to have been served upon the applicant only today, for the purpose of limitation.

There shall be no order as to costs.

(Pradeep Kumar)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

April 15, 2019
/sunil/