**CP No.33/2019
OA No.2633/2017**

New Delhi, this the 11th day of October, 2019

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

Mr. Arun Kumar Gupta,
S/o Sh. B. D. Gupta,
R/o 8/1, Sector-3, Rajendra Nagar,
Sahibabad, Ghaziabad (U.P.)
Presently in Delhi.

.... Petitioner

(By Advocate : Ms. Jasvinder Kaur)

Vs.

1. Mr. Valte Vungzamuan, Commisioner of Customs,
   Noida Customs Commissionerate,
   Greater Noida, Gautam Budh Nagar, U.P.

2. Ms. Asha Rani Sharma,
   Pay and Accounts Officer/Sr. Accounts Officer, CBIC,
   Customs & Indirect Taxes, NOIDA,
   C-56/42, Sector-62, NOIDA, Gautam Budh Nagar,
   U.P.

... Contemnor/Respondent

(By Advocate : Mr. Rajeev Kumar)

: O R D E R (ORAL) :

Justice L. Narasimha Reddy, Chairman :

In OA No. 2633/2017 an interim order dated 04.08.2017 was passed directing that the operation of the order impugned therein dated 19.05.2017, be kept in abeyance. Order dated 04.08.2017 reads as under:-

"Accordingly, as an interim measure, we also direct that the operation of the impugned order dated 19.05.2017 be

kept in abeyance, qua the applicants, till the next date of hearing."

2.   This Contempt Petition is filed alleging that the respondents did not release the retirement benefits of the applicant despite the fact that the order impugned in the OA was kept in abeyance.

3.   We heard Ms. Jasvinder Kaur, learned counsel for the applicant and Mr. Rajeev Kumar, learned counsel for the respondents.

4.   Respondents, in their counter affidavit have stated that all the retiral benefits of the applicant were released. Now the plea of the applicant that the last pay drawn was not appropriately fixed, needs to be examined in the OA itself.

6.   We find that there is no contempt on the part of the respondents as the retiral benefits of the applicant have already been released. Hence, we close the Contempt Petition.

7.   Post the OA on 22.11.2019.

(Mohd. Jamshed)   **(Justice L. Narasimha Reddy)**
  Member (A)   **Chairman**

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