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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH NEW DELHI

C.P. No.231 of 2003
IN
O.A. No.2560 of 2001

New Delhi, this the 30th day of July, 2003

Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman(J)
Hon'ble Shri R.K. Upadhyaya, Member (A)

Shri Pramod Kumar Sharma and others
(By Advocate : Shri B.S. Mainee)Petitioners

Versus

1. Shri K.K. Aggarwal
General Manager
Western Railway,
Church Gate,
Mumbai.
2. Shri I.C. Sharma,
Divisional Railway Manager,
Western Railway,
Kota (Rajasthan).Respondents.

O R D E R (ORAL)

By Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman (J) :

Heard Shri B.S. Mainee, learned counsel for the petitioners.

2. We have also seen the speaking orders issued by the respondents on 30.12.2002 said to be in compliance of Tribunal's order dated 14.8.2002 in OA 2560/2001. Having seen these two relevant orders, one passed by the Tribunal and other passed by the respondents, we see some force in the submissions made by the learned counsel for the petitioners that there is no specific reference to ^{the 2nd} two judgements of the Hon'ble Apex Court referred to in the aforesaid order of the Tribunal, i.e., the judgements in Balal Ahmad and Sagar Chandra Baswas (supra) and decision of the facts pertaining to the earlier cases and those of the

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applicants in the present case vis-a-vis the question of discrimination and violation of the principles of Articles 14 and 16 of the Constitution of India. In this view of the matter, we consider it appropriate to grant further four weeks to the respondents to pass a supplemental order to the order dated 30.12.2002 dealing with the points mentioned above in terms of Tribunal's order dated 14.8.2002, with intimation to the petitioners. We say so because it cannot be stated at this stage that the respondents have willfully disobeyed the aforesaid order of the Tribunal to justify action being taken against them for punishment under the Contempt of Courts Act, 1971. However, we think that in the circumstances of the case, one more opportunity should be given to the respondents to pass the necessary supplemental order as above.

3. In view of the above observations, CP 231/2003 is disposed of.

4. Let a copy of this order along with a copy of the CP be sent to the respondents for compliance as above.

(R.K. Upadhyaya)
Member (A)


(Smt. Lakshmi Swaminathan)
Vice Chairman (J)

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