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**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

C.P. No.355/2004 In
O.A. No.561/2001

New Delhi this the 1st day of December, 2005

Hon'ble Shri V.K. Majotra, Vice Chairman (A)
Hon'ble Shri Mukesh Kumar Gupta, Member (J)

1. Shri Dharam Pal Singh
S/o Late Shri Hari Kishan,
2. Shri Janardan Dubey,
S/o Late Shri Shrivji Dubey.
3. Shri Rampal Singh,
S/o Shri Turri Singh

(All working as Material Checking Clerk in the scale of
Rs.3050-4590 (RSRP) under Deputy Chief Engineering
(Construction), State Entry Road, New Delhi).

-Applicants

(By Advocate: Shri K.K. Patel)

Versus

1. Shri R.R. Jaruhara
The General Manager
Northern Railway
Baroda House, New Delhi-110 001.
2. Shri P.K. Goyal
Divisional Railway Manager,
Northern Railway, New Delhi.

-Respondents

(BY Advocate: Shri R.L. Dhawan)

ORDER (Oral)

Hon'ble Shri V.K. Majotra, Vice Chairman (A)

Learned counsel heard.

2. Learned counsel of respondents has brought to our attention Annexure R-I, which is order dated 20.8.2001 passed by the Hon'ble Supreme Court of India in Criminal Appeal No.841/2001 arising out of SLP(Crl.) No.2253/2000. The order reads as follows:-

"Leave granted.

After hearing the counsel for the parties, we are of the opinion that this is not a fit case where proceedings for contempt should have been initiated, especially in view of the fact that against the judgment which was delivered against the appellant an appeal had been filed and neither the appeal nor even the stay application has been decided, in view of the pendency of the said stay application, the contempt proceedings

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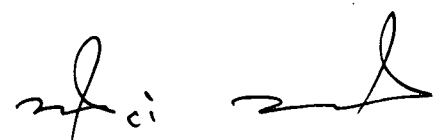
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are ordered to be withdrawn. If the stay application is dismissed, it would then be open to the respondents to take further action. The High Court should dispose of the stay application as expeditiously as possible and without granting any further adjournment.

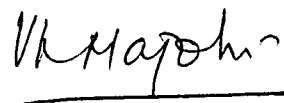
The appeal is disposed of.

3. Admittedly, respondents have filed a Writ Petition (C) No.13283/2004 against Tribunal's orders dated 29.7.2003 passed in RA No,64/2003. Also that they have filed C.M. application seeking stay of operation of orders dated 29.7.2003 of the Tribunal.

4. In the light of the Hon'ble Supreme Court's aforesaid orders, these proceedings are dropped. Applicants shall have liberty to revive the C.P, if necessary as and when orders of the High Court on the stay application/Writ Petition are available. Notices to the respondents are discharged.



(Mukesh Kumar Gupta)
Member (J)



(V.K. Majotra)
Vice Chairman (A)

cc.