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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

CP 49/2001 in  
OA 1120/1999.

New Delhi this the 27th day of April, 2001

Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman(J)  
Hon'ble Shri S.A.T.Rizvi, Member (A)

Sh.Dinesh Kumar  
S/0 Shri Gulab Rai,  
Saff Car Driver,  
Under Sr.Divisional Electrical  
Engineer(RSO) Office of DRM,  
State Entry Road, New Delhi.

..Petitioner  
(By Advocate Shri B.S.Mainee).

VERSUS

1. Shri S.P.Mehta,  
General Manager, Northern  
Railway, Baroda House, New Delhi.

2. Shri Vinod Sharma,  
Divisional Railway Manager,  
Northern Railway, State Entry  
Road, New Delhi.

3. Shri Sunil Sharma,  
Sr.Divisional Personnel Officer,  
Northern Railway, New Delhi.

4. Shri D.C.Pandey,  
Sr.Divisional Elect.Engineer,  
Office of the DRM, New Delhi.

..Respondents  
(By Advocate Mrs.Meera Chhibber.)

O R D E R (ORAL)

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

After hearing both the parties for some time, we note from the annexure to the compliance affidavit filed by the respondents that they have passed orders promoting the applicant to the post of Vehicle Driver in grade Rs.4500-7000(RP) from the date of promotion of his junior Shri Baldev Raj w.e.f. 30.3.1996. This has, however, been done on proforma basis which is objected to by Shri Mainee, learned counsel. We are

unable to agree with the contention of Shri Mainee, learned counsel for the petitioner that in the above circumstances further action should be proceeded under the provisions of Contempt of Courts Act, 1971 read with Section 17 of the Administrative Tribunals Act, 1985 to punish the alleged contemnors. In the circumstances, CP 49/2001 is rejected, leaving it open to the applicant to proceed in the matter if he is aggrieved by the aforesaid order, in accordance with law. Notices to the alleged contemnors are discharged. File consigned to the record room.

*(Signature)*  
(S.A.T.Rizvi)  
Member(A)

*Lakshmi Swaminathan*  
(Smt. Lakshmi Swaminathan)  
Vice Chairman(J)

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