

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

M.A. NO. 2242/1998
C.P. NO. 171/1998
in
O.A. NO. 2101/1994

25

New Delhi this the 3rd day of November, 1998.

HON'BLE SHRI JUSTICE K. M. AGARWAL, CHAIRMAN

HON'BLE SHRI R. K. AHOOJA, MEMBER (A)

Chet Ram S/O Shiv Charan,
Shunting Jamadar,
Northern Railway, Moradabad,
R/O Vill. Jhanjhanpur,
P.O. Harthala (Sonakpur),
Distt. Moradabad.

... Applicant

(By Shri G. D. Bhandari, Advocate)

-Versus-

1. Shri S. P. Mehta,
General Manager,
Northern Railway HQ,
Baroda House,
New Delhi.
2. Shri P. C. Sharma,
Divisional Railway Manager,
Northern Railway,
Divisional Office,
Moradabad.

... Respondents

(By Shri R. L. Dhawan, Advocate)

O R D E R (ORAL)

Shri Justice K. M. Agarwal :-

Application for exemption from personal appearance on behalf of the Divisional Personnel Officer, Northern Railway, Moradabad is allowed in view of the fact that a copy of fresh compliance report has been filed for and on behalf of the respondents.

For

26

2. On going through the order, the learned counsel for applicant submitted that partial compliance has been made. In the light of this submission, we went through the order passed by the Tribunal in OA No. 2101/94, decided on 9.12.1997. The directions were as follows :

"4. In the result, this application succeeds and the respondents are hereby directed to consider if the applicant can be regularised as a Shunting Jamadar in the context of the facts hereinbefore mentioned and such other facts as may be considered relevant and necessary in that regard. This may be done by a reasoned order and communicated to the applicant, as far as possible, within a period of four months from the date of receipt of a copy of this order."

3. The fresh compliance report and the accompanying order passed in favour of the applicant by the respondents show that the applicant has been regularised in service as Shunting Jamadar. According to us, the direction was only for considering the name of the applicant for regularisation as a Shunting Jamadar. Under the circumstances we are of the view that now there remains nothing to continue with these proceedings. Accordingly, they are directed to be dropped. Rule nisi, if any issued against the respondents, shall stand discharged.

Km

(K. M. Agarwal)
Chairman

R. K. Ahooja

(R. K. Ahooja)
Member (A)

/as/