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Central Administrative Tribunal
Principal Bench: New Delhi

CP No.57/96 in
OA No.799/95

New Delhi this the 24th day of July 1996.

Hon'ble Mr A.V.Haridasan, Vice Chairman (J)
Hon'ble Mr K.Muthukumar, Member (J)

1. Mrs Iris William Chand
W/o Sh. William Chand
Retd ECG Technician, N.R.Central Hospital
R/o 152/9 Railway Colony
Minto Bridge, New Delhi.

2. Mr Soloman
S/o William Chand
Working as Hospital Attendant
Central Hospital
Northern Railway, New Delhi
R/o 152/9 Railway Colony
Minto Bridge, New Delhi.

...Petitioners.

(By Advocate: Sh. S.K.Sawhney)

Versus

1. Sh. V.K.Aggarwal through
General Manager
Northern Railway
Baroda House, New Delhi

2. Sh. Piyush Aggarwal
Divisional Supdg.Engineer (Estate)
Northern Railway
DRM Office
New Delhi.

...Respondents.

(By Advocate: Sh. P.S.Mahendru)

O R D E R (Oral)

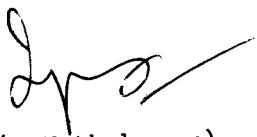
This CP arises out of order dated 22.11.95. The OA No.799/95 was disposed of with a direction to the respondents to consider the issue regarding regularisation of quarter in favour of the petitioners in the light of the observations made in the order, and to pass a reasoned and speaking order. A copy of the judgement is annexed as Annexure P-I.


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2. Respondents have passed an order as directed in the judgement and the same is annexed as Annexure P-2. Petitioners' counsel states that since the relevant observations made in the judgement have not been taken note of by the respondents while passing the order, respondents have wilfully defied the orders of the Tribunal. We have heard Sh. S.K.Sawhney for the petitioners and Sh. P.S.Mahendru for the respondents. Sh. Sawhney argued that the stand taken by the respondents in the order passed that the applicant had not been sharing accommodation for 6 months prior to retirement of his monther is incorrect, and ^{as per} offered to the directions contained in the order as nowhere in the Railway Board's Circular it is stated that sharing should be with permission.

3. We do not think that there is a reason to take action under Contempt of Court Act. The respondents have interpreted the order and passed an order accordingly. If the petitioner is aggrieved, he is at liberty to challenge that order, but no action for contempt is called for.

4. Hence this CCP is dismissed and notice discharged.


(K.Muthukumar)
Member (A)


(A.V.Haridasan)
Vice Chairman (J)

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