

Central Administrative Tribunal
Principal Bench: New Delhi

CP 39/97 in
OA 220/96

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New Delhi this the 11th day of March 1997.

Hon'ble Mr Justice K.M.Agarwal, Chairman
Hon'ble Mr N.Sahu, Member (A)

Shri Munendra Pal Singh
Son of Kalicharan
C/o Shri Sushil Kumar
Assistant Station Master
Sabzi Mandi Railway Station
Delhi.

...Petitioner.

(By advocate: Shri R.S.Singh)

Versus

Shri Shanti Narayan
General Manager
Northern Railway
New Delhi.

...Respondent.

(By advocate: Shri R.L.Dhawan)

O R D E R (oral)

Hon'ble Mr Justice K.M.Agarwal, Chairman

Contempt notices were issued against the respondents on the basis of an application made in that regard by the applicant for disobedience of the order made by this Tribunal dated 16.8.96 in OA 220/96. A compliance report has been filed by the respondents today. On being asked whether the applicant is satisfied with the compliance report submitted, learned counsel for the applicant wanted time to go through the report as a copy of which has been served on him in the presence of the court today. In this background, we ventured to look into the directions made as also the compliance report submitted for and on behalf of the respondents.


2. On going through the order dated 16.8.96 of this Tribunal, we find that the respondents were directed first to treat that the panel so far as it related to the applicant did not expire on 31.3.95, to consider the case of the applicant for appointment to a post to which he would be eligible and suitable in accordance with medical classification A-3 and to pass appropriate orders in that regard within


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a period of two months. On going through the compliance report, we find in para 4, the respondents have tendered an unconditional apology for the delay resulting in inconvenience to the applicant or to the Tribunal

3. At the same time, in para 3, it has been stated that the petitioner was offered the post of Ticket Collector vide letter dated 3.3.97. We are of the view that if the respondents did not treat the panel to be subsisting even after 31.3.95, they would not have offered the post of Ticket Collector to the applicant. Accordingly, we are satisfied that the first direction of the Tribunal has been carried out. In so far as the second direction of the Tribunal is concerned that the offer made to the applicant to the post of Ticket Collector is sufficient compliance of the directions also. In these circumstances, we are of the view that no purpose will be served by adjourning the case so as to enable the applicant and his counsel to go through the said compliance report or the reply filed on their behalf. Accordingly, rejecting the prayer for adjournment, we direct that in the circumstances of the case and in view of the fact that the directions have been carried out, notice issued against the respondents be discharged and is accordingly hereby discharged.


(K.M. Agarwal)
Chairman


(N. Sahu)
Member (A)

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