

Central Administrative Tribunal
Principal Bench: New Delhi

CP 109/97 in OA 1808/96

New Delhi, this the 7th day of July, 1997

Hon'ble Dr. Jose P. Verghese, Vice-Chairman(J)
Hon'ble Shri S. P. Biswas, Member (A)

(2)

Shri Raj Pathak,
s/o Mahesh Pathak,
Chargeman (Mech.)
Diesel Shed, N.R.
Shakur Basti, Delhi -34.
R/o 337/4, Railway Colony,
Shakur Basti, Delhi.

...Petitioner

(By Advocate: None)

-Versus-

1. Shri S.P.Mehta,
General Manager,
Northern Railway,
Baroda House,
New Delhi.
2. Shri K.K.Chaudhary,
Divisional Railway Manager,
Northern Railway,
State Entry Road,
New Delhi.
3. Shri A.P. Nagrath,
Chief Personnel Officer,
Northern Railway,
Baroda House,
New Delhi.
4. Shri A.K. Sanwalka,
C.M.P.E.(Dsl.),
Northern Railway,
Baroda House,
New Delhi.

....Respondents

(By Advocate: Shri R.L. Dhawan)

O R D E R (Oral)
(Dr. Jose P. Verghese,Vice-Chairman(J)

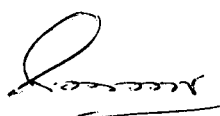
The order complained against directed the respondents to reconcile the lien available to the petitioner in the circumstances of the case.


In response to our notice, Shri R.L.Dhawan, learned counsel for the respondents, appeared and invited our attention towards the last part of the order dated 6.6.1997 of the respondents and we find that the said order is in compliance with our orders. It was also stated by Mr. Dhawan that in pursuance to this order, the petitioner has already been given the promotion by order dated 27.6.1997. The last para of the order stated above is reproduced herebelow:-

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"I have considered the plea taken by the applicants before CAT and the plea of the 28 representationists against the said applicants and I consider it only fair and proper that the applicants before CAT should be granted lien from the date they have been working in Delhi Division by granting them appropriate seniority. Consequent to such a grant of lien they will seek further advancement in Delhi Division. Their lien in Jodhpur or Firozpur Division automatically stands terminated from the very beginning. The tentative decision taken by me earlier now becomes final."

In the circumstances, liberty is given to the petitioner to re-agitate the matter, if in his estimate, any part of the order is yet to be complied with. For the present, we are satisfied that our order has substantially been complied with and as such these contempt of courts proceedings are dropped and notices is discharged.


(S.P. Biswas)
Member (A)


(Dr. Jose P. Verghese)
Vice-Chairman (J)

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