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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

C.P. NO. 191/1996
in
O.A. NO. 510/1996

New Delhi this the 27th day of August, 1996.

HON'BLE SMT. LAKSHMI SWAMINATHAN, MEMBER (J)
HON'BLE SHRI K. MUTHUKUMAR, MEMBER (A)

Smt. Sahiman W/O Maqdam,
Working as Chowkidar,
under Chief Permanent Way
Inspector, N. Railway,
Tughlakabad. ... Petitioner

(By Shri Anis Suhrawardy, Advocate)

-Versus-

1. Shri V. K. Aggarwal,
General Manager,
Northern Railway,
Baroda House, New Delhi.
2. Shri B. S. Aggarwal,
Chief Administrative Officer,
Construction, Northern
Railway, Kashmere Gate,
Delhi-110006.
3. Shri P. R. Singh,
Deputy Chief Engineer (Const),
Northern Railway,
State Entry Road,
New Delhi.
4. Shri Joginder Singh,
Chief Permanent Way Inspector
(Construction), Northern
Railway, Near Lahori Gate,
New Delhi. ... Respondents

(By Shri P. S. Mahendru, Advocate and
Respondent Nos. 3 and 4 in person)

ORDER (O R A L)

Hon'ble Mrs. Lakshmi Swaminathan, P(1) —

This is a contempt petition in which the
petitioner has alleged that there has been
non-compliance of the order of this Tribunal in
O.A. No. 510/1996 dated 1.5.1996. By this order

YB a direction has been given that in case the

applicant makes a fresh representation to the respondents for suitable alternative placement or posting taking into account her physical difficulties on account of her physical incapacity, such representations will be considered. The respondents were also directed to pass appropriate orders taking into account both the interest of the applicant as well as the over-all interests of the Railway administration. Learned counsel for the respondents has drawn our attention to the order dated 15.7.1996 passed by the Chief Permanent Way Inspector (Construction), respondent No.4. This order has been passed in pursuance of the representation made by the applicant dated 6.7.1996. The respondents have also shown us the original records (file No. 220-E/1/CL/C). In the representation dated 6.7.1996 made by the applicant in pursuance of the Tribunal's order dated 1.5.1996, the applicant has submitted as follows :-

- "(i) Keeping in view my physical incapacity (in that I have lost both legs below the knee), this is a physical handicap and prevents me from undertaking long working.
- (ii) I may be posted at TKD under CPWI/C, where the stores of the C.P.W.I.(C) are still lying and for which one chowkidar Shri Prabhu is still functioning. It may also be mentioned that stores/materials of open line C.P.W.I. are also lying at the TKD Station."

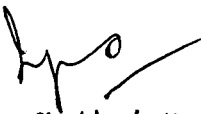
2. The respondents have submitted that the posting of the applicant by order dated 15.7.1996 to work as Chowkidar in Stores near

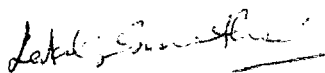
YB.

Control Tower, TKD is the post which had been held by ~~one~~ Shri Prabhu who was holding the post at the TKD Station.

3. Having regards to the facts and circumstances of the case, we find that the respondents have complied with the directions given in the order dated 1.5.1996 and have posted the applicant to work in the post which was formerly held by Shri Prabhu in the same capacity. Nothing survives in this petition now.

4. In the above circumstances, the contempt petition is dismissed and the notices are to be discharged.


(K. Muthukumar)
Member(A)


(Mrs. Lakshmi Swaminathan)
Member (B)

/as/