

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

C.P. No.251/2000
IN
OA No.484/1996

New Delhi, this the 12th day of December, 2002

HON'BLE SMT. LAKSHMI SWAMINATHAN, VICE CHAIRMAN (J)
HON'BLE MR. M.P. SINGH, MEMBER (A)

Girdhar Singh, S/o Shri Bhim Sen
R/o Adarsh Colony, Shallagarh,
Palwal, Distt. Faridabad (Haryana)

....Petitioner
(By Advocate : Shri U. Srivastava)

Versus

1. Shri S.P. Mehta,
General Manager, Northern Railway,
Baroda House, New Delhi.
2. Shri Om Prakash,
Controller of Stores, Northern Railway,
Baroda House, New Delhi.

....Respondents
(By Advocate: Shri R.L. Dhawan)

ORDER (ORAL)

By Smt. Lakshmi Swaminathan, Vice Chairman (J) :

Heard both the learned counsel for the parties.

2. We have considered the relevant paragraphs of the reply filed by the respondents and the submissions of the learned counsel for the petitioner. Having regard to the averments made by the respondents in their reply affidavit filed on 9.12.2002 in Paragraphs 5 and 6, learned counsel for the petitioner himself submits that up to the extent the respondents have indeed complied with the directions of the Tribunal in OA No.484/1996. However, he has drawn our attention to ~~the~~ Annexure R-III i.e. letter issued by the respondent dated 29.10.2002 with regard to the

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consideration of the applicant for promotion to the post of ACOS, Group 'B', selection post in accordance with the laid down procedures in such cases. He ^{also} ~~vehemently complains that the~~ time frame may be fixed for compliance of the selection to this post.

3. On the other hand, Shri R.L. Dhawan, learned counsel for respondents has submitted that he has received instructions from the respondents that at the next selection for Group 'B' post, the applicant will also be considered in terms of this letter.

4. In view of what has been stated above, we find no justification to continue this CP No.251/2002, as it cannot be held that the respondents have willfully and ^{ac} ~~contumaciously~~ disobeyed the Tribunal's order. We also note the above submissions of the learned counsel for the respondents in this regard, that the applicant will be considered at the next selection for promotion to the post of ACOS Group 'B' post.

5. In view of what has been stated above, CP is dismissed. Notices issued to the alleged contemnors/respondents are discharged. File be consigned to the record room.


(M.P. Singh)
MEMBER (A)
(Smt. Lakshmi Swaminathan)
VICE CHAIRMAN (J)

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