

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

CP 373/2002 in
OA 1320/2000

New Delhi this the 24th day of October, 2002

Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman (J)
Hon'ble Shri V.K. Majotra, Member (A)

Shri C.N. Sahai and others

(By Advocate Shri B.S. Mainee)

..Petitioners

VERSUS

1. Shri R.K. Singh,
General Manager, Northern,
Railway, Baroda House,
New Delhi.

2. Shri V.K. Aggarwal,
The Divisional Railway Manager,
Northern Railway, New Delhi.

3. Shri Deepak Krishnan,
The Divisional Railway
Manager, Northern Railway,
Ambala.

4. Shri H.C. Punja,
The Divisional Railway Manager,
Northern Railway, Ferozepur.

5. Shri Kamlesh Gupta,
The Divisional Railway Manager,
Northern Railway, Lucknow.

6. Shri R.K. Upadhaya,
The Divisional Railway Manager,
Northern Railway, Moradabad.

7. Shri Gurdeep Singh,
The Divisional Railway Manager,
Northern Railway, Jodhpur.

..Respondents

(By Advocate Shri R.L. Dhawan)

O R D E R (ORAL)

(Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman (J)

Shri B.S. Mainee, learned counsel for the petitioners was present earlier and had stated that although the respondents have submitted in their reply affidavit that the Tribunal's order dated 8.2.2002 has been implemented and further stated that six applicants have already

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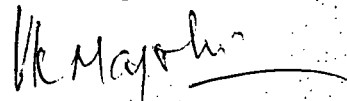
received the payments, he wanted some more time to verify the exact amounts received and so on.

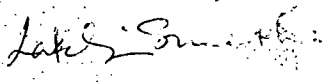
2. We have carefully considered the Tribunal's order, the averments in the Contempt Petition and the reply affidavit. We have also heard Shri R.L.Dhawan, learned counsel. In terms of Para 11 of the Tribunal's order dated 8.2.2002, we note that the respondents have stated that the approval of the competent authority has been communicated to the concerned authorities for payment of arrears of difference of pay and allowances to the petitioners with effect from the dates their juniors were promoted as Signal Inspectors Grade II, Signal Inspectors Grade I and Chief Signal Inspectors. They have also stated in the reply that the payment of arrears of difference of pay and allowances as admissible to the petitioners has been arranged by the Office and the judgement has been fully complied with. We have also noted the submissions of Shri B.S.Maine, learned counsel that six of the petitioners have since received the amounts and we do not see any reason why in terms of the reply affidavit filed by the respondents the remaining one applicant has also not received the due amounts, which perhaps he has failed to communicate to the learned counsel. In the circumstances of the case, the plea for an adjournment is not justified. The unconditional apology tendered by the respondents for the delay in

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implementation of the order is accepted. We do not find any wilful or contumacious disobedience of the Tribunal's order to warrant any further action being taken in CP 373/2002.

3. In the above circumstances, CP 373/2002 is dismissed. Notices issued to the alleged contemnors are discharged.


(V.K. Majotra)
Member (A)


(Smt. Lakshmi Swaminathan)
Vice Chairman (J)

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