

Central Administrative Tribunal
Principal Bench

C.P.No.120/2002 IN
O.A. No. 1158 of 2000

New Delhi, dated this the 13th, May, 2002

HON'BLE MR. S.A.T.RIZVI, MEMBER (A)
HON'BLE MR. SHANKER RAJU, MEMBER (J)

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1. Pari Ram S/o Sh.Jagan,
51B-2, Punjabi Bagh,
Railway Colony,
New Delhi.
2. Mohan Singh S/o Babu Ram,
B-247, Ashok Nagar,
New Delhi.
3. Hira Lal S/o Sh.Bhagoli,
Jhuggi No.9 Ram Nagar,
New Delhi.
4. Matadhar S/o Sh.Gajadhar,
Jhuggi No.5, Ram Nagar,
New Delhi.
5. Babu Lal S/o Sh.Ramu,
9/1, Trilok Puri,
New Delhi.
6. Babu Lal S/o Sh.Kandhai,
131/2, Ajmeri Gate,
New Delhi.
7. Sudarshan Singh S/o Sh.Kailash Chand,
A-251 F, Sector 11, Vijay Nagar,
Ghaziabad U.P.
8. Des Raj S/o Sh.Sukhdev,
H.No.139 B, Shive Purinder
Mandawali,
New Delhi.

(All are working as Valvemen under Sr.Divisional
Engineer Works, Northern Railway, Delhi)
(By advocate: Shri M.L.Ohri)

Versus

Union of India through

1. The General Manager, Shri Kanwarjit Singh,
Northern Railway, Baroda House,
New Delhi.
2. The Divisional Railway Manager,
Sh. Adithya Perakash Mishra,
Northern Railway, DRM Office,
Patparganj, (DRM Office), New Delhi.
3. The S.S.E./III, Sh.Alok Kanshal,
Northern Railway,
Delhi Division, New Delhi.

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4. A.D.R.M.(Tech.) Sh. S.K.Tripathi,
Northern Railway,
Delhi Division, New Delhi.
5. The Section Engineer, Sh.S.K.Trehne,
Northern Railway,
Delhi Division, New Delhi.
6. The Assistant Engineer, Sh.R.K.Verma,
Northern Railway,
Delhi Division, New Delhi.
(By advocate: Shri V.S.R.Krishna)

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ORDER(ORAL)

By Hon'ble Shri S.A.T.Rizvi, Member(A)

By an order passed on 2nd July, 2001, the Tribunal issued directions to the respondents in the following terms:

Having regard to the above discussion and reasons, we find merit in the OA and direct the respondents to pay the applicants in the pay scale of Rs.950-1500 (pre-revised) with arrears since 5.12.97 and also take a decision in the matter of creation of an adequate number of posts of Valvemen. The respondents are further directed to comply with the above directions within a period of three months from the date of receipt of a copy of this order. No costs.

2. Alleged non-compliance of the aforesaid directions has led to filing of the present Contempt Petition.

3. Learned counsel appearing on behalf of respondents submits that the aforesaid directions have already been complied with by placing the applicants in the pre-revised pay scale of Rs.950-1500 along with payment of arrears calculated from 5.12.1997. He further submits that the respondents have also, in compliance of the other

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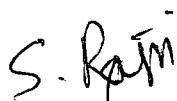
apart of the aforesaid directions, considered the matter regarding creation of adequate number of posts of Valvemen and have found it not feasible to create any more posts in the rank of Valvemen. Detailed orders have accordingly been passed by the respondents on 6.5.2000 (Annexure R-2).

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4. We have considered the submissions made by the learned counsel and find that the directions issued on 2nd July, 2001 have been fully complied with and there is, in this context, no whisper of contumacious or wilful disobedience of the orders passed by this Tribunal.

5. Learned counsel appearing on behalf of petitioners submits that in arriving at a decision not to create any more posts of Valvemen in the respondents' set-up, the matter has not been examined properly and accordingly he would like to challenge this aspect of the matter. We have considered the matter and find that it has nothing to do with the compliance of the aforesaid directions. The petitioners will have liberty however to agitate the matter in appropriate proceedings before an appropriate judicial forum, if so advised, and in accordance with law.

6. In view of the above, the present contempt petition does not survive and is dismissed. Notices issued are discharged.



(Shanker Raju)
Member (J)



(S.A.T. Rizvi)
Member (A)