

(4)

Central Administrative Tribunal

Principal Bench, New Delhi

New Delhi, this the 31st day of July 1995.

CP No.70/95 in
OA No.887/89.

Hon'ble Mr A.V.Haridasan, Vice Chairman (J)
Hon'ble Mr R.K.Ahooja, Member (A)

B.S.Sarin
Ex-CPWI (Special)
Under Divisional Engineer
Northern Railway
Delhi Queens Road (MG)
Delhi-110 006.

...Petitioner

(By Advocate: Shri A.K.Bhardwaj)

Versus

1. Lalit Kumar Sinha
General Manager
Northern Railway
Baroda House
New Delhi.

2. S.K.Bhandari
Executive Engineer
Northern Railway
9A, Boulevard Road
Delhi.

...Respondents.

(By Advocate: Shri R.L.Dhawan)

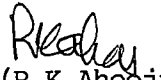
O R D E R (Oral)


Hon'ble Mr A.V.Haridasan, Vice Chairman (J)

This contempt petition arose out of final order passed in OA No. 887/89 which was disposed of by order dated 9.4.94 with directions to the respondents to re-convene the promotion committee and review the case for promotion of the applicant in 1979 on the basis of only those ACRs which have been finalised, that is, where the applicant had been given an opportunity to appeal and the appeal had been decided, with further direction that the above should be done within a period of 4 months from the date of receipt of a copy of the judgement. As the directions were not complied with within the period stipulated in the order, the petitioner filed the contempt petition praying that action may be taken against the respondents for wilful defiance of the court's directions. On receipt of notice on the contempt petition, the respondents have filed their reply statement in which they have stated that the directions have been fully complied with and a copy of the order dated 15.5.95 has been issued to the petitioner stating that in compliance of the

✓

judgement, his case was reviewed as directed and that the committee's opinion that the committee did not consider him suitable for promotion in the year 1979 has been communicated to the petitioner. The respondents in the affidavit filed have stated that the delay in reporting compliance was not intentional and have tendered their unconditional apology for the delay. Finding that they have already complied with the directions contained in the judgement and accepting the apologies tendered by them, we consider that it is neither expedient nor necessary to proceed ^{in this} contempt petition. The request of the learned counsel for the petitioner for an adjournment of the case is disallowed, ^{It is noted} ~~for, it does not allow any redress.~~ The petitioner has not filed any rejoinder. The CP, therefore, is dismissed and notice is discharged.


(R.K. Ahooja)
Member (A)


(A.V. Haridasan)
Vice Chairman (J)

aa.