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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI.

C.C.P. No.222/1990

in

O.A. No.1137/1990.

Date of decision: January 2, 1992.

Shri S.C. Kulshreshtha ... Applicant.

Vs.

Shri S.M.Vaish,
General Manager,
Northern Railway, New Delhi
and another ... Respondents.

CORAM:

HON'BLE MR. JUSTICE V.S. MALIMATH, CHAIRMAN.

HON'BLE MR. P.C. JAIN, MEMBER (A).

For the applicant ...

Shri B.L.Madhok, proxy
counsel for Shri B.S.
Mainee, counsel.

For the respondents ...

Shri Inderjit Sharma,
counsel.

ORDER (ORAL)

HON'BLE MR. JUSTICE V.S. MALIMATH, CHAIRMAN.

The complaint in this case is that the interim order made by the Tribunal on 4.6.1990 in O.A. 1137/90 has been violated by the respondents. The interim order granted by the Tribunal is to stay the order of reversion of the applicant if the same has not already been implemented. The respondents have, in their reply stated that the applicant was reverted on 20.4.1990 and the interim order of the Tribunal was made on 4.6.1990. The learned counsel for the applicant submitted that the order of reversion was not served on him. It is difficult to accept this plea, particularly, having regard to the fact that the applicant

himself has filed a copy of the order of reversion in the D.A. No.1137/1990 filed by him. It was next contended by the learned counsel for the applicant that notwithstanding the order of reversion, he has been actually performing the duties of the Station Master and, therefore, he is entitled to be paid the wages on the basis that he had functioned as a Station Master. We do not propose to express finally as to what the applicant was doing at the relevant point of time. If the applicant has any case, he can ^{advance} ~~contend~~ the same in the Original Application and satisfy the Tribunal that he ^{was} ~~is~~ discharging the duties of the post of a Station Master. We do not see any justification for taking action against the respondents for non-compliance with the interim order of the Tribunal in this C.C.P. This C.C.P. is accordingly disposed of. The Rule is discharged.

C. Jain
(P.C. JAIN)
MEMBER(A)
2.1.1992.

V.S. Malimath
(V.S. MALIMATH)
CHAIRMAN
2.1.1992.