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23.09.1992. Anil Kumar Sharma

CCP 300/92 in vs.

OA 1585/91 Raj Kumar, G.M., N.Rly.

Present: Shri J.K. Bali, counsel for the petitioner.

So far as the directions issued in the OA are concerned the question of disobedience does not arise, as the stand taken by the respondents, as submitted by the learned counsel for the petitioner is that no selection for the post of AYM was held during the period when the petitioner joined the ex-cadre post in ZTS, Chandausi on the date the channel of promotion was revised on 22.07.88. It was, however, submitted that there was no direction in the judgement in the earlier part of paragraph-6 which has not been complied with. On a reading of the said portion of the paragraph we are not able to discern any clear and categorical direction which the respondents were required to comply with. The learned counsel for the petitioner maintains that what ^{is} ~~is~~ in the mind of the Tribunal and which is implicit is not clear. If that is so, we do not come in the way of the petitioner seeking appropriate clarification or review in this behalf. As



the language of the order now stands/will not be justified ⁱⁿ taking action under the Contempt of Courts Act.

With these observations this petition is dismissed. Let a copy of this order be given to the learned counsel for the petitioner.

Prabhakar

Shrivardhan
(T.K. Rasgotra)
MEMBER (A)

(V.S. Malimath)

CHAIRMAN