

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

CP 287/2006
O.A. 51/2004

(S)
(S)

New Delhi, this the 16th day of November, 2006

**Hon'ble Shri Justice M.A Khan, Vice Chairman (J)
Hon'ble Shri V.K. Agnihotri, Member (A)**

Shri Naresh Kumar Batra,
S/o Shri B.R. Batra,
R/o 169/1, Rly. Colony, Kishan Ganj,
Delhi-7.

...Applicant.

(By Advocate: Sh. B.S. Mainee)

VERSUS

Union of India
Through

1. Shri V.N. Mathur,
General Manager,
Northern Railway,
Baroda House,
New Delhi.
2. Shri S. Ansari,
Chief Passenger Traffic Manager (G),
Northern Railway,
Baroda House,
New Delhi.Respondents.

(By Advocate: Sh. Shailendra Tiwar with Sh. V.S.R. Krishna)

ORDER (ORAL)

Shri Justice M.A. Khan, Vice Chairman (J)

Learned counsel for the respondents has stated that W.P.(C) No.15329-30/2006 filed before Hon'ble High Court, challenging the order of this Tribunal dated 25.05.2006 in OA No. 51/2004, has been disposed of with the following direction

- "(a) The petitioner would forthwith reinstate the respondent back into service. Respondent would be entitled to full wages from the date of order of the Tribunal. Petitioner would be free to institute an inquiry into the alleged manipulations of the records in relation to the attendance of the respondent as well as his leave applications and service record. The inquiry shall be completed within a period of four months from today.
- (b) In case manipulation of records is established, petitioner would proceed against all the persons responsible in accordance with law and would be free to take such disciplinary action.

(S) (54)

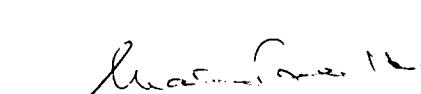
(c) As regards payment of back wages, the directions with regard to payment of 50% of the back wages shall be kept in abeyance, to be decided on the result of the inquiry. The back wages as directed by the Tribunal, would be paid unless the respondent is indicted in the enquiry."

2. The learned counsel for the respondents has submitted that in compliance with the aforesaid directions of the Hon'ble High Court, the applicant has been reinstated in service about 3 or 4 days back. He further stated at the Bar that the consequential benefits in terms of the directions shall be paid to the applicant shortly and that the respondents have already initiated steps for holding an inquiry into the matter.

3. Learned counsel for the applicant has stated that the applicant has joined the service yesterday and he is yet to receive the full back wages from the date of the order of the Tribunal to the date of reinstatement.

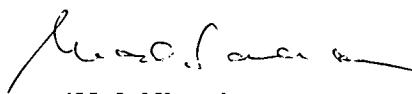
4. Learned counsel for the respondents has already given statement at Bar that the full back wages in terms of the order of Hon'ble High Court will be paid to the applicant shortly and that, the remaining directions of the Hon'ble High Court are also being complied with. In view of this, we do not think it appropriate now to proceed in the matter any further. Accordingly, the Contempt Petition is dismissed and notices are discharged. But we allow the applicant to seek redressal of his grievance, if necessary, which is still survived in proper proceedings in accordance with law.


(V.K. Agnihotri)
Member (A)


(M.A. Khan)
Vice Chairman (J)

At this stage, Sh. Shaileendra Tiwary, counsel for the applicant stated that the case has been assigned to him and he is representing the respondents in the present contempt petition.


(V.K. Agnihotri)
Member (A)


(M.A. Khan)
Vice Chairman (J)