

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

C.P. No. 36/2005 In
O.A. No.528/2004



New Delhi this the 20th day of September, 2005

Hon'ble Shri V.K. Majotra, Vice Chairman (A)
Hon'ble Shri Shanker Raju, Member (J)

1. Mr. Shakti Kumar,
S/o Shri Chandi Dass
R/o H.No.413, B Block
Prem Nagar-II, Nangloi,
Delhi-110 041.

2. Mr. Darshan Lal Grover
Son of Bas Dev
R/o K-261, Mangolpuri,
Delhi-110 003.

-Applicants

(By Advocate: Ms. Neeru Vaid)

Versus

R.R. Jaruhar
The General Manager
Northern Railway,
Baroda House, New Delhi.

-Respondent

(By Advocate: Shri R.L. Dhawan)

ORDER (Oral)

Hon'ble Shri V.K. Majotra, Vice Chairman (A)

Learned counsel heard.

2. Learned counsel of applicants pointed out that in compliance of Tribunal's directions, respondents have fixed the lien of applicant Shri Shakti Kumar in Bridge Branch and that of Shri Darshan Lal in Engineering Department. She pointed out that the promotional avenues in Bridge Branch are non-existent and as such the lien of applicant Shri Shakti Kumar, too, ought to have been fixed in the Engineering Department.

3. On the other hand, learned counsel of respondents stated that respondents would have fixed applicant Shri Shakti Kumar's lien in the Engineering Department, However, there is no vacancy in that department.

4. In our considered view, this is a contentious issue; whether fixing the lien of Shri Shakti Kumar in Bridge Branch is in disobedience of directions of this court *and it is* cannot be settled through a contempt petition.

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5. As such, in our view, the directions of the court have been substantially complied with. C.P. is dismissed and notice to the respondent is discharged. However, applicant shall have liberty to resort to appropriate legal proceedings on remaining aggrieved.

S. Raju
(Shanker Raju)
Member (J)

V.K. Majotra
(V.K. Majotra)
Vice Chairman (A)

cc.

20.9.05