

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

C.P. No. 247 of 1997

(21)

In

O.A. No. 431 of 1992

New Delhi this the 16th day of October, 1997.

HON'BLE DR. JOSE P. VERGHESE, VICE CHAIRMAN (J)  
HON'BLE MR. K. MUTHUKUMAR, MEMBER (A)

Shri Lekh Raj ..Petitioner

By Advocate Shri B.S. Mainee.

Versus

1. Shri S.P. Mehta  
General Manager,  
Northern Railway,  
Baroda House,  
New Delhi.
2. Shri K.R. Mehra  
Chief Administrative Officer (Const.),  
Northern Railway,  
Kashmeri Gate,  
Delhi.
3. Shri Mukesh Garg,  
Dy. Chief Engineer (Const.),  
Northern Railway,  
Tilak Bridge,  
New Delhi. ..Respondents

By Advocate Shri R.P. Aggarwal.

ORDER (ORAL)

Hon'ble Dr. Jose P. Verghese, Vice Chairman

The notice of contempt was issued to the respondents on 9.9.1997, wherein the orders of this Court dated 29.4.1997 was not complied with by the respondents. After receipt of the notice of the Contempt of Court Proceedings, the respondents have approached the Hon'ble High Court by way of Writ Petition and obtained an order on 29.9.1997 by which the operation of the impugned order passed by this

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Court on 29.4.97 had been stayed. In the circumstances, the petitioner is seeking the liberty of this Court to withdraw this petition and refile the same as and when the stay obtained by the High Court is lifted. We permit the petitioner to withdraw this C.P. with liberty to refile the same as mentioned above, wherein the petitioner will also have liberty to take the delay that has arisen at the instance of the respondents for implementation of the order at the time when he refiles the case when the stay is lifted.

With this, the C.P. is disposed of. Notices are discharged.

  
(K. MUTHUKUMAR)  
MEMBER (A)

  
(DR. JOSE P. VERGHESE)  
VICE CHAIRMAN

Rakesh