

OPEN COURT

Central Administrative Tribunal, Allahabad Bench,
Allahabad.

Dated: This the 28th Day of May 1999.

Coram:- Hon'ble Mr.S. Dayal, A.M.

Hon'ble Mr.S.L. Jain, J.M.

Civil Contempt Application No. 120/97

in

Original Application No. 960 of 1994.

Deo Lal S/o Sri Mulla
R/O 385-C Janmastami Colony
Northern Railway,
Near Tat Mill Crossing G.T. Road,
Kanpur.

. . Applicant.

Counsel for the Applicant:- Sri B.N Singh, Adv.

Versus

1. Sri Mahendra Nath Chouda
Divisional Rail Manager, Northern Railway,
Allahabad.
2. Sri P.K. Singh,
Divisional Personal Officer Northern Railway
Allahabad Division,
Allahabad.

. . . Respondents.

Counsel for the Respondents:- Sri S.K. Jaiswal, Ad.

ORDER

(By Hon'ble Mr. S. Dayal, A.M.)

This contempt petition was filed for
summoning the Opp. party and punishing them for
contempt of the order dated 30.1.97 passed by a

Division Bench of this Tribunal in O.A. 960 of 1994.

2. The Division bench in the said O.A. had ordered as follows:-

" In view of the foregoing the application is allowed. The applicant shall be reinstated forthwith on the post of Asstt. Superintendent and he shall be deemed to have continued on the post as if he was never reverted. He shall also be entitled to the benefit of arrears of wages for the intervening period, which shall be paid to the applicant within a period of three months from the date of communication of this order. The parties shall, however, bear their own costs."

3. The learned counsel for the respondents Sri Govind Saran filed an affidavit of Sri K.M. Narain Divisional Personal Officer, Northern Railway today in which an order of the respondents has been annexed. The order reads as under:-

" The applicant shall be reinstated forthwith on the post of Asstt. Supdt. and shall be deemed to have continued on the post and if he was never reverted. He shall also be entitled to the benefit of arrears of wages for the intervening period.

Accordingly Sri Deo Lal is hereby reinstated forthwith on the post of Asstt. Supdt (Now C.S. Gr. II) and he shall be deemed to have continued on the post and as if he was never reverted. He shall also be entitled to the benefit of arrears of wages for the intervening period.

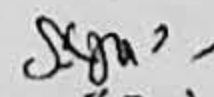
This is in compliance of the judgment passed by the Hon'ble C.A.T./Ald. in O.A. No. 960/94 and this issue is with the approval of Competent Authority.


Since the writ petition in this regard has been admitted by the Hon'ble High Court, as such, this is subject to final outcome of writ petition No. 6598/98 pending in Hon'ble High Court/Allahabad.

4. Since the directions given in the O.A. have been complied with by the Opp. Party in this case, no intention to disobey the order of this Tribunal can be attributed to them.

5. There is a delay in compliance of the order but the said delay does not lead to a conclusion that the Opp. party intended to disobey the order of this court.

The contempt petition is therefore dismissed. Notices issued to the respondents are discharged. The case be consigned to record.


Member (J.)


Member (A.)

Nafees.