

(4)

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH

ALLAHABAD

DATED: THIS THE 20TH DAY OF APRIL 1998

CORAM : HON'BLE MR. S.DAYAL AM  
HON'BLE MR. S.L.JAIN JM

CIVIL MISC. CONTEMPT APPLICATION NO.54 /97

IN

ORIGINAL APPLICATION NO. 1660/94

Sri Durga prasad Singh & others - - - - - Applicants

C/A Sri S.D.N.Singh

Versus

Sri M.N.Chopra and others - - - - - Respondents

C/R Sri A.K.Gaur

ORDER

By Hon'ble Mr. S.Dayal AM

This is an application for contempt under section 17 of the Administrative Tribunals Act, 1985 for wilful disobedience of this Tribunal's order dated 19.9.1995 as extended from time to time. The order passed by the Tribunal was for maintenance of status-quo in respects of the applicants.

2. The facts as stated by the applicants are that this Tribunal in O.A.No.405/88 between S.D.Tripathi and others V/s Union of India and others had passed orders on 6.7.1992 directing the respondents for fixation of seniority in terms of Railway Board's letter dated 10.11.1980 and 18.6.1981. Respondents in compliance of this order had passed orders dated 19.12.1992 and 9.2.1997 fixing the seniority of the applicants in the list of Senior Clerks at sl.no.32B, 32-C and 32-D and in the list of Head Clerks

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at serial nos.37B-, 37-C dated 7.7.1995 a fresh seniority list regarding the seniority of the applicants. Nos. 73, 74 and 75 in the cadre of Head Clerk applicants were threatened from the post of grade II. In the light of this back ground, the Tribunal had given the order of status-quo which was not honoured by the Respondents.

3. In the counter affidavit it filed by the respondents, it has been mentioned that the orders passed by the Tribunal in O.A.485/88 in the case of S.C.Tripura & others versus Union of India & others (supra) were set aside <sup>by</sup> the apex court in S.L.P. no.16030/93 filed by the railway administration.

4. It is the case of the respondents that they had to revise the seniority list in compliance of the judgment of the Apex court in the matter.

5. There is no rejoinder filed by the learned counsel for the applicants to the averments made by the opposite parties. Learned counsel for the applicants had been seeking time in the past and is not present today. Under the circumstances, we hold that no contempt is made out and the case of contempt against the respondents fails. Notices issued to the respondents are discharged. Case may be consigned to the record.

*J.M.*  
J.M.

*A.M.*  
A.M.