

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD

CIVIL MISC. CONTEMPT PETITION NUMBER 35/04  
in  
ORIGINAL APPLICATION NO. 238/1997

ALLAHABAD, THIS THE 28<sup>th</sup> DAY OF APRIL, 2004

HON'BLE MRS. MEERA CHHIBBER, MEMBER(J)  
HON'BLE MR. S. C. CHAU BE, MEMBER(A)

Khalique Ali a/a 62 years,  
son of Wali Mohammed, retired  
electrician at Manikpur (Banda),  
resident of Mahabir Nagar, Manikpur,  
district-Banda.

.....Applicant

(By Advocate : Shri A.K. Gupta)

V E R S U S

1. Sri R.B.N. Mathur,  
Secretary, Railway Board,  
Rail Bhawan,  
New Delhi.
2. Bhuvneshwar Prasad Khare,  
Divisional Railway Manager,  
West Central Railway, Jabalpur.

.....Respondents

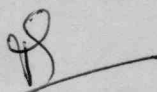
(By Advocate : Shri P.Mathur)

O R D E R

By Hon'ble Mrs. Meera Chhibber, Member (J)

This contempt petition was filed by the applicant *alleging*  
~~claiming~~ dis-obedience of the orders passed by this Tribunal on  
27.05.2003 in O.A. 238 of 1997.

2. By the above said order O.A. was allowed. The order  
dated 20.09.1996 was quashed. Respondents were directed to  
give pay-scale of Rs.1400-2300/- to the applicant w.e.f.23.10.90



in view of the Railway Board's order dated 02.01.1987. The order was to be complied with within 3 months from the date a copy of the order was fi-led before the competent authority.

3. It is submitted by the respondents that they sought extension of time by filing M.A. No.603/04 which was allowed on 15.03.2004 and respondents were ~~directed to grant~~ one months' time from 15.03.2004 to implement the order (Annexure CA-1). Thereafter they have issued order dated 19.03.2004 (Annexure CA-2) whereby applicant has <sup>been</sup> placed in the scale of Rs.1400-2300 w.e.f. 23.10.1990 with all benefits with the approval of competent authority. Thereafter vide letter dated 29.03.2004 they calculated the difference of arrears to be paid to the applicant and prepared CO-7 No.1131 dated 29.03.2004 for an amount of Rs. 12,811/- for being paid to the applicant. This letter is addressed to the applicant (Annexure CA-3). Not only this, they have even written a letter to Allahabad Bank, Station Road, Karvi, Banda, U.P. on 05.04.2004 with revised pensi-on papers with certain directions. They have, thus, submitted that the directions given by this Tribunal have been duly complied with, therefore, contempt petition may be dismissed.

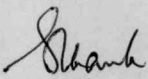
4. Counsel for the apolicant was seeking time to verify the position and submitted that certain increments were not added by the department. Since respondents have already complied with the directions as given by this Tribunal, we do not think that this contempt petition survives any longer. However, we direct the respondents to give due and drawn statement to the applicant within 4 weeks from the date of receipt of a copy of this order so that in case any discripency <sup>is</sup> ~~was~~ found by the applicant, he may take up the matter with the competent authority for its correction or take rec-ourse to the remedy

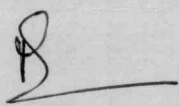


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as available to him under the law.

5. In view of the above discussion, this Contempt Petition is dismissed, notices issued to the respondents are discharged.

  
Member (A)

  
Member (J)

shukla/-