

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

CIVIL CONTEMPT APPLICATION NO. 37 OF 2004

IN

ORIGINAL APPLICATION NO. 1535 OF 2002

ALLAHABAD, THIS THE 13th DAY OF JANUARY, 2005

HON'BLE MR. V. K. MAJOTRA, VICE-CHAIRMAN
HON'BLE MR. A.K. BHATNAGAR, MEMBER (J)

Ram Barai s/o Swarath
r/o Muthani P.O. Mohania
District-Kaimur Bihar.

....Applicant

(By Advocate : Shri S.K. Day/S.K. Mishra)

V E R S U S

Shri K.K. Saxena D.R.M. E.C. Railway,
Mughalsarai, District-Varanasi.

....Respondent

(By Advocate : Shri K.P. Singh)

O R D E R

By Hon'ble Mr. V.K.Majotra, Vice-Chairman

Learned counsel heard. Applicant's O.A. No. 1535/02
was disposed off vide order dated 04.02.2003 (Annexure-3)
with the following observations/directions:-

"We do not find any merit in this case. However, as
the applicant is suffering from chronic illness due
to vasectomy operation, he may get himself medically
examined by Railway Doctor, and then make a
representation to the authorities for proper orders.

Subject to aforesaid direction, the O.A. is disposed
of."

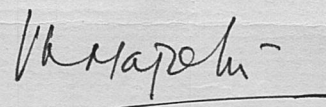
2. Learned counsel of the applicant ^{has} drawn our attention
to letter dated 10.03.2003 whereby Senior D.P.O. E.C. Railway
Mughalsarai has written to Medical Superintendent, E.C. Railway

Mughalsarai forwarding a copy of the applicant's representation along with Tribunal's order dated 04.02.2003 for compliance. He has also drawn our attention to the letter dated 22.03.2003 from Chief Medical Superintendent Mughalsarai to Medical Superintendent E.C. Railway Gaya for compliance of Tribunal's order. Learned counsel of the applicant has alleged that no action has been taken by the respondents on these letters and applicant has not been medically examined in accordance with the Tribunal's directions

3. Learned counsel of the respondents stated that in view of the aforesaid letters, respondents were not required to take any further action. We do not agree with this contention. Writing of these two letters by the respondents has not resulted in medical examination of the applicant. As such, respondents are afforded another opportunity to implement the directions of this court in as much as that D.R.M. E.C. Railway, Mughalsarai District-Varanasi shall write to the concerned Medical Superintendent for medical examination of the applicant within a period of 2 months from the date of communication of this order. He shall also indicate the date ^{on} ~~for~~ which the applicant shall appear before the Medical Superintendent for medical examination. In case, these directions are not complied with in the true spirit, serious view would be taken in the matter.

4. In view of the above directions, this contempt petition is disposed off. Notice issued to the respondent is discharged.


Member (J)


Vice-Chairman

13.1.05

shukla/-