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OPEN COURT

**CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH ALLAHABAD**

**Civil Contempt Petition No.154 of 2005
In
Original Application No. 1116 of 2005.**

Allahabad, this the 17th day of January, 2006.

**Hon'ble Mr. A.K. Bhatnagar, J.M.
Hon'ble Mr. D.R. Tiwari, A.M.**

**Lok Pati Shukla, S/o Sri Ashok Kumar Shukla, Resident of 135-18-E, Jagmal
Ka Hata, Rajrooppur, Allahabad.**

...Applicant.

(By Advocate : Shri A.K. Srivastava)

Versus

- 1. Mr. Amar Singh, Divisional Personnel Officer, North Central Railway,
Allahabad Division, Allahabad.**
- 2. Mrs. Pramila Singh, Divisional Personnel Officer, (Legal) North
Central Railway, Allahabad Division, Allahabad.**

...Respondents.

(By Advocate : Shri A.K. Gaur)

ORDER

By Hon'ble Mr. A.K. Bhatnagar, J.M.

**This contempt application has been filed for willful disobedience of
the orders passed in O.A. No.1116 of 2005 on 16.09.2005 and 03.10.2005. By
the Order dated 03.10.2005, following direction was passed: -**

"03.10.2005

**Hon'ble Mr. K.B.S. Rajan, J.M.
Hon'ble Mr. A.K. Singh, A.M.**

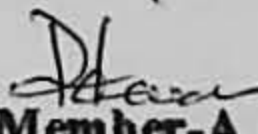
**Heard, Sri A.K. Srivastava learned counsel for the applicant. This contempt
petition has been filed for non-compliance of the order-dated 16.09.2005. It has
been stated by the applicant that despite the vacancy of Pharmacist subsists, the
applicant has not been accommodated to that post even though he is medically
fit.**

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It is made clear that existing arrangement should have been continued i.e. the applicant shall be kept in waiting until one Shri A.P. Singh joins in which event his continuance will be subject to the outcome of the O.A. Now it has been stated by the counsel for the applicant that neither Shri A.P. Singh has been relieved from the present place of posting nor he has joined at the place, where the applicant was working. Accordingly, it is directed to the respondents that the applicant should be accommodated on the post of Pharmacist at least provisionally and respondents shall also pay him the salary. The contempt application is converted into the M.A. and notice be issued to the respondents accordingly. Let, a copy of this applicant be sent to the respondents alongwith this order and this M.A. should also be listed alongwith O.A. on 18.10.2005. It is also provided that if the applicant has served the department in the past, he should not be denied his pay and allowances, and the same should be paid to him within a week from today."

2. Learned counsel for the respondents Shri A.K. Gaur submitted that the department has made full compliance of the order passed by this Tribunal. He has filed the short counter affidavit today in the Court, which is taken record, copy of which has already been served on the counsel for the applicant. Learned counsel-Shri A.K. Gaur submitted that he has mentioned all these facts of compliance of the Order in paragraph no.5 and 9 of the short counter affidavit alongwith annexure SC-1, 2 and 3. We have gone through the short counter affidavit alongwith annexures and we are satisfied that compliance of the order has been done. Therefore, now no contempt proceedings remain to be continued further. Accordingly Contempt Application is dismissed. However, it is expected from the department that if any balance amount is left to be paid to the applicant, that may be settled as early as possible preferably within a fortnight.


Member-A


Member-J

M.M/