

Dt. 01.08.2001

Hon'ble Mr. Justice R.R.K. Trivedi, V.C.

Hon'ble Maj. Gen. K.K. Srivastava, A.M.

We have heard Sri S.S. Sharma, learned counsel for the applicant and Sri A.K. Gaur, learned counsel for the respondents.

2. By this application under section 17 of the Administrative Tribunals Act, 1985, applicant has prayed that the respondents may be punished for not implementing the order dt. 19.01.2000 passed in O.A 714/92. The direction given by this Tribunal was to the following effect :-

" The order dated 11.02.1991 passed by respondent No. 2 is quashed. The respondents are directed to take consequential steps and pass necessary orders in respect of service and salary, status of the applicant ignoring order dated 11.02.1991 within a period of six months from the date of communication of this order. No order as to costs."

3. The notice was issued to opposite party No. 2 and 4 only. In response to the notice, CA has been filed in para-6 where of it has been stated that the order of this Tribunal has been complied with. It has been stated that the order was given on 27.02.01 informing the applicant that he has been treated as retired from service on and from 31.07.1993 under age limit and the period from 11.02.1991 to 31.07.1993 is being treated as if he was in regular railway service. It has been further stated that the sanction has been accorded to make payments to the applicant. Sri S.S. Sharma, learned counsel for the applicant has not denied that substantial compliance of the order has been done. However, <sup>it is claimed that</sup> disobedience has been <sup>done</sup> ~~made~~ with regard to some payments, i.e., H.R.A and Bonus. If that is so, he may raise his claim <sup>separately</sup>. As the order has been substantially complied with, we do not find that any case of contempt has been made out. The contempt petition is accordingly dismissed. Notices issued to the respondents are discharged.

  
Member- A.

  
Vice-Chairman.

/Anand/