

CENTRAL ADMINISTRATIVE TRIBUNAL, ADDITIONAL BENCH

ALLAHABAD

DATED: THIS THE 15th DAY OF MAY 1997

Coram : Hon'ble Mr. T. L. Verma JM
Hon'ble Mr. D. S. Baweja AM
C.C.P. No. 30/94 IN

ORIGINAL APPLICATION NO. 62/92

1. Ram Kailash s/o Ram Kishun
2. Mahesh Chand s/o Adal Singh
3. Ram Deen s/o Teeka Ram
4. Kaleshwar s/o Chhotey Lal
5. Rajjan s/o Girdhari
6. Lakhan Singh s/o Hori Lal
7. Ram Singh s/o Ram Nath
8. Ram Rahish s/o Sumer
9. Ram Prakash s/o Atma Ram
10. Ram Swaroop s/o Bhure Lal
11. Jog Lal s/o Bhikari Lal
12. Hoob Lal s/o Sukhram
13. Dharam Bir s/o Sughar Singh
14. Diwan Singh s/o Jore Singh

all working as Gangman under Assistant Engineer
(TRY) Northern Railway, Aligarh at present
working under P. W. I. N.R. Allahabad.

- - - - - Applicants

C/A Sri Anand Kumar

Versus

1. Sri Chahete Ram, Divl. Supdtg. Engineer,
(Coordination) Northern Railway, Allahabad
2. Sri Jagjeet Singh, Assistant Engineer (TRT)
Northern Railway, Aligarh.
3. Shri B.P. Awasthi, Divl. Engineer (G)
Northern Railway, Allahabad. Respondents

C/R Sri A.K. Shukla

Order (ORAL)

By Hon'ble Mr. T. L. Verma JM

This application has been filed for the alleged breach of the directions issued by a bench of this Tribunal in O.A. No.62/92.

2. The aforesaid O.A. was filed for issuing a direction to the respondents to pay travelling allowance and transfer allowance of all the applicant and to regularise their services from the date their juniors have been regularised. This O.A. was disposed of with the following directions.

" Accordingly, we direct that the respondents shall give the applicants an opportunity of hearing and consider and decide the representations made by them filed as annexures to the application before us, as mentioned hereinabove and we further direct that payment of the amounts as found due to the applicants by way of allowances and arrears etc. shall be made to them. The respondents shall also decide the question of regularisation of the applicants and in case any junior to the applicants has been regularised prior to this date, the applicants shall be entitled to be regularised. "

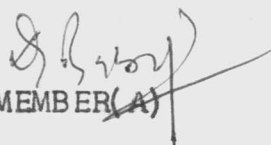
3. The grievance of the applicants is that despite the aforesaid directions by its order dated 21.5.1993, respondents have already regularised the services of the applicants.

4. The respondents have denied the allegations by filing C.A. and Supp.affidavit. In para 4 of the Supp. affidavit, it has been mentioned that none of the applicant has so far filed a bill for the travelling allowance. Therefore, direction of the Hon'ble Tribunal is not

capable of being complied with. It was submitted that insofar as regularisation of the applicants is concerned, same has been done by order dated 7.11.1996. Copy of the order has been annexed as annexure II to the supp. affidavit. We have perused the annexure and we find that the same supports the contention of the learned counsel for the respondents that the services of the applicants have since been regularised.

5. In view of the above, we find that in absence of travelling allowance bills of the applicants, payment thereof is not possible. The services of the applicants have since been regularised. There has, however, been some delay in complying with the directions of the Tribunal in regularising the services of the applicants. The delay in our opinion is neither intentional nor deliberate.

6. In view of the above, no case for action under contempt of courts Act is made out. Therefore, contempt proceedings are dropped and notices issued discharged.


MEMBER (A)


(MEMBER (J))

SQI