

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

ALLAHABAD

Allahabad, this the 14th day of July 2000;

C.C.A. NO. 745 of 1994 in Original Application No. 519 of 1994.

CORAM :- Hon'ble Mr. Justice R.R.K.Trivedi, Vice Chairman.  
Hon'ble Mr. S.Daval, Member(A).

Jogendra Singh son of Sri Jaleshwar Singh  
v/o Barak No. 1426, Indian Institute colony  
Mughalsarai district Varanasi.

.....Applicant.

Counsel for the applicant :  
Shri M.K.Srivastava.

V E R S U S

General Manager Eastern Railway Netaji Subhash Road, Calcutta.

1. Mr. J.K.Khatri, Divisional Rail Manager, Eastern Railway, Mughalsarai, district Varanasi.
2. Mr. S.N.Singh, Senior Divisional Engineer, Eastern Railway, Mughalsarai.
3. Mr. Sunil Sharma, Senior Divisional Personnel Officer, Eastern Railway, Mughalsarai.

.....Respondents.

Counsel for the respondents :  
Shri D.C.Saxena.

O R D E R

(By Hon. Mr. Justice R.R.K.Trivedi, V.C.)

This contempt petition has been filed by alledging wilful  
disobedience of the order dated 2-4-1994 passed in O.A. 519/1994.  
The operating part of the order read as under.



....Contd.....

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"Meanwhile the operation of the impugned transfer orders (Annexure A-10) dated 1-2-1994 shall remain stayed if it has not already been given effect to."

It is not disputed that O.A. NO. 519/1994 has been finally decided by order dated 26-2-1997. The operating part of the order reads as under.

"This application, therefore, partly succeeded. The application has been entitled to make representation to the respondents for arrears including transfer allowances relating to the period from 1-2-1994 to 4-4-1995, within one month of receipt of the copy of the judgement and the respondents are directed to consider the claim of the within 3 months of receipt of the representation and make any payment due to him within a period of 3 months from the date of the receipt of the representation. There shall be no order as to costs."

From the aforesaid <sup>order</sup>, it appears that the order of transfer impugned in the application has been maintained and relief has been granted for payment of transfer allowance and arrears of salaries etc. In the circumstances the interim order, disobedience of which has been complained in this contempt petition, has <sup>been</sup> become non-existent and consequently there is no question of any contempt now.

The application is accordingly rejected. Notice is discharged.



Member (A)



Vice chairman

/ Madhu/