

CENTRAL ADMINISTRATIVE TRIBUNAL ALIABAD
BENCH ALIABAD

Dated : Allahabad the 7th day of December, 1995.

QUORUM : Hon. Mr. T. L. Verma, Member-J
Hon. Mr. D. S. Baweja, Member-A.

Civil Misc. Contempt Petition No. 183 of 1994.

in

O.A. No. 701 of 1994.

Ramji Lal S/o. Sri Lakshman Singh,
R/o. 56/98/99, Naqla Fakir Chand Chowk,
Near P.N.T. Colony, Agra.
At present posted as S.O.M. (Sub
Oversheer Mistri) Under A.E.N. Central
Railway, Mathura. Applicant/
Petitioner

(By Adv. Sri K.S. Kushwaha)

Versus

1. Rajendra Nath, Chief Personnel Officer,
Engineer Bombay V.T. Central Railway,
2. Vinod Kumar Agrawal, Divisional Railway
Manager, Central Railway, Jhansi.
3. Manoj Pandey, Senior Divisional Personnel Officer
Central Railway, Jhansi.

..... Respondents/Contemners

(By Advocate Sri G. P. Agarwal)

ORDER (Oral)

(By Hon'ble Mr. T. L. Verma, JM)

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This application has been filed for
alleged breach of the direction issued by this
Tribunal in O. A. No. 701 of 1994.

2. The aforesaid O.A. was filed by the
.... contd. on page 2/

applicant for issuing a direction to the respondents to dispose of the representation dated 27.10.1993 filed by the applicant. The aforesaid O.A. was allowed and the respondents were directed to dispose of the representation filed by the applicant within three months from the date of this order by issue of speaking order. The grievance of the applicant is that the respondents have deliberately and intentionally violated the aforesaid direction.

3. The respondents have denied the allegations by filing counter-affidavit. It has been stated that the petitioner's representation dated 27.10.1993 was considered by the competent authority and it was decided that he should be given an opportunity to appear at the written test for promotion to I.O.W.III and that the petitioner had appeared at the test held on 10.12.1994. The direction of the Tribunal thus, has been substantially complied with and no case for contempt of Courts has been made.

4. We have heard the counsel for the respondents and perused the record. The representation dated 27.10.1993 filed by the petitioner has been disposed of by the respondents in pursuance of the aforesaid direction, is borne out by the order ~~recd~~ at Annexure-1 of the C.C.A. The petitioner has ^{also} in para 12 of his rejoinder-affidavit ~~himself~~ admitted that he had appeared at the said examination which was held

on 10.12.1994. This fact, further finds support from the letter issued by the D.R.M. Central Railway, Jhansi, which has been filed by the counsel for the respondents on 3.11.1995.

5. From what has been stated above, it is thus clear that the directions issued by this Tribunal in O.A.No.701 of 1994 have been substantially been complied with. Hence no case for action for contempt of Court has been made out. This contempt proceeding is therefore, dropped and the notices issued to the respondents are discharged.


Member-A


Member-J.

Pandey/-