

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 13TH DAY OF NOV:2002

Contempt Application No.104/02

(OA 1316/99)

CORAM:

HON.MR.JUSTICE R.R.K.TRIVEDI,V.C.

HON.MR.SARVESWAR JHA, MEMBER(A)

Anil Kumar Jain & Others

... Applicants

Versus

R.K.Upadhya, Divisional

Railway Manager, Northern

Railway, Moradabad & Ors

... Respondents

O R D E R

JUSTICE R.R.K.TRIVEDI,V.C.

We have heard Shri T.S.Pandey learned counsel for the applicants and Shri Prashant Mathur learned couns-el for the respondents.

By this application u/ s 17 of A.T.Act 1985 aapplicant has prayed to punish the respondents for committing contempt of this Tribunal by wilful disobedience of the order dated 13 12.01 p assed in OA No.1316/99 The direction given by this Tribunal was under:-

"We have considered the submissions of counel for the respon dents. In our opinio-n the seniority list challenged before us, has not yet gained finality and it cannot be challenged before this Tribunal The liberty is given to the applicants to file objection within a period of 2 weeks. The objection if so filed, it shall be considered and decided by the respondents in accordanc e with law before finalising the seniority list. The OA stands disposed of accordingly. No order as to costs."

Shri Prashant Mathur has filed counter affidavit stating that the objection filed by the applicant has

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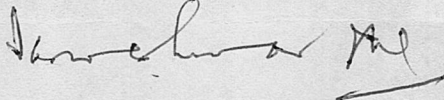




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has been decided by order dated 23.10.02 filed as Annex 1 to the CA). Since the objection has been decided, in our opinion, no case for contempt is made out. The applicant has already challenged this order by filing OA u/s 19 of A.T.Act.

The contempt application is rejected. Notices are discharged. No order as to costs.



MEMBER(A)



VICE CHAIRMAN

Dated: 13.11.2002

Uv/