

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

Misc. Contempt Application No.261 of 2002.

In

Original Application No.402 of 1997.

Monday, this the 13th day of January, 2003.

Hon'ble Mr. Justice R.R.K Trivedi, Vice-Chairman.

Hon'ble Maj Gen KK Srivastava, Member-A.

1. Naresh Prasad Yadav
Son of Sri R.P. Yadav,
Presently working as Senior Goods Driver
(Electric), Mughalsari.
2. Lallan Prasad
Son of Sri Mishri Lal,
Presently working as Senior Goods Driver
(Electric), Mughalsarai.
3. Kamta Prasad Singh
Son of Sri Ramjanam,
Presently working as Senior Goods Driver
(Electric) Mughalsarai.
4. Abdul Jabbar
Son of Sri Niyaz Khan,
Presently working as Senior Goods Driver
(Electric) Mughalsarai,
5. Vijay Bahadur
Son of Sri Kariyal,
Presently working as Loco Inspector,
Mughalsarai.
6. Sri Bhagwan Das
Son of Late Sobh Nath,
Presently Working as Loco Inspector,
Mughalsarai.
7. Rajesh Kumar
Son of Late Sri Rameshwar,
Presently working as Senior Goods Driver
(Electric) Mughalsarai.
8. R.A.Malik,
Son of Sri Kalu Nath Malik,
Presently working as Senior Goods Driver,
(Electric), Mughalsarai.
9. S.S.Prasad
Son of Sri D.C. Gupt,
Presently working as Senior Goods Driver
(Electric) Mughalsarai.
10. Dasrath Ram
Son of Sri B.N Singh,
Presently working as Senior Goods Driver
(Electric), Mughalsarai C/o Running Supervisor
(CCS), Mughalsarai.

.....Applicants.

(By Advocate: Sri Vipin Sinha)

Sri Vipin Sinha
Advocate
Mughalsarai.

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Versus.

Sri B.K. Singn,
Senior Divisional Personnel Officer,
Eastern Central Railways, Mughalsarai.

(By Advocate: SriOpposite party.
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O R D E R

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

This application under section 17 of Administrative Tribunals Act, 1985 has been filed for punishing the respondents for wilful disobedience of the order of this Tribunal dated 01.02.2002 passed in O.A. No.402/1997. The direction by the Tribunal was as under:-

"In the circumstances the O.A. is, therefore, partially allowed. The seniority list issued vide order dated 02.07.1998 which has been presented in the court today and taken on record today is quashed. The respondents are directed to consider the original representation of the applicants that they should be assigned seniority higher than Shri Ram Balak Prasad on the ground that they were appointed earlier than him as Assistant Driver Electrical. The respondents while deciding the fresh seniority list must clearly give reasons for rejecting the request of the applicants for not keeping them senior on the ground of earlier appointment, is such a decision has to be taken. Such a seniority list must be finalised within 6 months of the receipt of a copy of this order by the respondents. There shall be no order as to costs."

2. It is not disputed ^{that} by order dated 19.07.2002, representation filed by applicants ~~has~~ been decided by a reasoned order. A copy of which has been filed as Annexure-5. Reasons ~~have~~ been assigned for not ~~treating~~ the applicants as senior to Ram Balak Prasad.

3. In the circumstances, in our opinion, no case of contempt is made out. However, if the applicants are dis-satisfied, they may challenge the order in original side.


MEMBER (A)


VICE-CHAIRMAN

shukla/-