

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

Allahabad, this the 29th day of August, 2003.

QUORUM : HON.MR.JUSTICE R.R.K. TRIVEDI, V.C.
HON. MR. D. R. TIWARI, A.M.

CCP No.138/03 in O.A. No.654/03

Ram Sanwar & others.....

.....Applicants.

Counsel for applicants : Sri Surendra Prasad.

Versus

1. Sri P.K. Gupta, General Manager (Personnel), North Eastern Railway, Gorakhpur.

2. Sri Anand Singh, Executive Engineer, Track Machine (TMC), North Eastern Railway, Gorakhpur....

.....Respondents.

Counsel for respondents :

O R D E R (ORAL)

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

After hearing Sri Surendra Prasad, Counsel for the applicant, we do not find that any case of contempt is made out. The direction of this Tribunal in the interim order dated 6.5.03 passed in O.A. No.654/03 was as under :-

"List on 16.7.2003, till then applicants No.1 to 10 shall not be compelled to proceed on transfer and impugned order dated 27.5.2003 (Annexure A-1) shall kept in abeyance. We further make it clear that it shall be open to the respondents to declare the result of the screening held on 24.3.2003 and the applicants may proceed on transfer thereafter."

2. It is not disputed that in pursuance of the interim order of this Tribunal Respondents passed the order dated ~~27.5.03~~ ⁵⁻⁸⁻²⁰⁰³ ^{in service} taking them back and thereafter they have passed the order dated 6.8.2003. The order impugned in the O.A. was dated 27.5.03 by which applicants were transferred to their original units. By the order dated 6.8.03 applicants have not been transferred to their original units but for different places, ^{in same unit.}



3. In the circumstances we do not find that any contempt has been made out. However, if the applicants are aggrieved by the said order then they may challenge the same by filing a fresh O.A.

D. S. S.
A.M.

R. S. S.
V.C.

Asthana/