

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Civil Contempt Petition No.213 of 2003.

In

Original Application No. 371 of 1996.

Allahabad, this the 24th day of January, 2006.

Hon'ble Mr. A.K. Bhatnagar, Member (J)

Hon'ble Mr. D.R. Tiwari, Member (A)

1. Girish Prasad Son of Sri M.R. Bhat
Resident of BRD-29 Mansarovar Colony,
Delhi Road, Moradabad.
2. Raksesh Kumar Son of Sri B.Singh
Resident of Quarter No.287/B
Railway Harthala Colony, Moradabad.
3. Subhash Chandra Son opf Sri Y.R. Singh
Resident of Qjquarter No.BH-08 Block "B"
Mansarovar Colony, Delhi Road, Moradabad.
4. Hari Singh Son of Sri Chandra Singh
Resident of L/ 27-F, Railway Colony
Dehradun.
5. Rajesh Kumar Tomar Son of Sri K.S. Tomar,
Working as Diesel Assistant
Resident of Quarter No.WW-5C
RPF Colony Line Par, NR Moradabad.

...Applicants.

(By Advocate : Shri S.K.Mishra
Shri A.Shukla

Versus

1. R.R.Jaruhar,
General Manager, NR
Baroda House, New Delhi.
2. Varun Bharthuar,
Divisional Railway Manager, NR
Moradabad.
3. Pravesh P. Pandey
Senior Divisional Personnel Officer
NR Moradabad.

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4. S.S.Koucher,
Senior Divisional Mechanical Engineer,
NR Moradabad.

....Respondents.

(By Advocate : Shri A.K. Gaur)

ORDER

By Hon'ble Mr. A.K. Bhatnagar, J.M.

This contempt petition has been filed for punishing the respondents for non-compliance of the order dated 8.8.2002 passed in OA No.371 of 1996, by which the following direction was passed: -

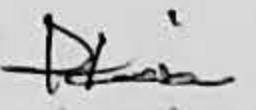
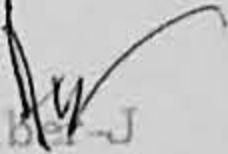
"In the facts and circumstances and our aforesaid discussion, the OA is allowed. The impugned seniority list dated 5.12.1995 (Annexure-A-II) is quashed. The respondents are directed to prepare a fresh seniority list in accordance with un-amended Rule 303 of IREM Vol. I. The applicants shall be entitled for all consequential benefits including promotion subject to their clearing selection as provided in Rules. The respondents are directed to comply with the order within four months from the date of its communication."

2. Learned counsel for the respondents filed affidavit of compliance alongwith M.A. No.165/05 on 5.1.2005. Learned counsel invited our attention on paragraph 2 of the letter dated 10.2.2004 and submitted that the respondents have assigned the seniority as per un-amended Rule 303 of IREM Vol. I and as per instruction contained in PS No.8055 and the revised seniority list has also been circulated.

3. After hearing Shri A.K. Gaur, learned counsel for the respondents and perusal of the compliance letter dated 10.2.2004, we are of the considered view that the order has been fully complied with. Therefore, no case of contempt now

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survives. Accordingly, the contempt petition is dismissed and notices issued to the respondents are hereby discharged. However, the applicants are at liberty to come on the original side if still feel aggrieved and so advised.


Member-A
Member-J

RKM/