

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD

Civil Contempt Petition No.37 of 2003
IN
Original Application No.1824 of 1994

This the 15th day of January, 2004

HON'BLE MR. V.K.MAJOTRA, VICE-CHAIRMAN
HON'BLE MRS.MEERA CHHIBBER, MEMBER-J

Ram Awadh Singh Yadav,
S/o - Sobaran Singh Yadav,
Fitter Grade III under section
Engineer, Northern Railway,
Meja Road.

.....Applicant.

By Advocate :- Shri S.S.Sharma

Versus

Shri Ashutosh,
The Deputy Chief Concrete Sleeper Plant
Northern Railway, Subedarganj.

.....Respondents.

By Advocate :- Shri A.K.Gaur

ORDER

By Hon'ble Mr.V.K.Majotra, Vice-Chairman

Learned counsel of the respondents has drawn our attention to Annexure-I dated 13.10.2003 attached with reply affidavit of respondents contending that in pursuance of Tribunal's direction contained in order dated 26.04.2002 applicant has been restored on the post of Operater-II alongwith the seniority assigned to him vide order dated 08.06.1996.. It is further stated that arrears will be paid to him shortly and for that in Grade-I post, applicant shall be considered for promotion on the basis of selection as and when it is held. Today another copy of order dated 13.01.2004 has been filed in the Court, which states that applicant has been restored to the post of Operator Grade-II (now will be working as Fitter Grade-II) against Supernumerary post of CSP/AID.

and necessary orders have to be passed by the office of Assistant Engineer, N.C.Railway, Mirzapur. It is further stated therein that arrear bill duly vetted from Accounts of C.S.P. upto 14.06.1996 is also enclosed and balance arrear payment would be made by Assistant Engineer's office till date alongwith the amount of bill upto 14.06.1996.

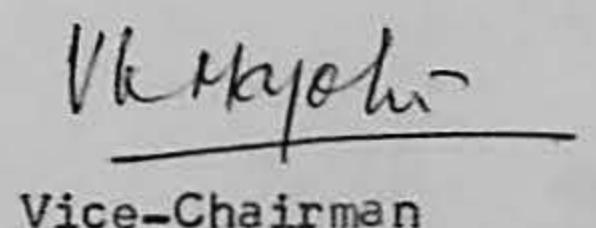
2. On the other hand learned counsel for the applicant states that applicant has still been working on the post of Operator Grade III despite order dated 13.10.2003. Contention of the applicant is further reinforced by the respondents' letter dated 13.01.2004. Obviously respondents have not complied with the direction of this Court in restoring the applicant to Operator Grade-II, pay him the arrears as also considering him for promotion within the stipulated period in the Tribunal's order.

3. Learned counsel for the respondents undertakes complete compliance of the Tribunal's order within a period of 2 months from today. Taking into consideration the assurance of learned counsel, we take lenient view on the respondents and dismiss the C.C.P. with a direction to the respondents to effect the complete compliance of Tribunal's order dated 26.04.2002 within a period of two months from today, failing which the applicant shall have liberty to revive the C.C.P. Shri A.K.Gaur has intimated that a Writ Petition against the order of the Tribunal is pending in the High Court as such, compliance of Tribunal's order by the respondents shall be subject to out come of the related Writ Petition. For the ¹⁶ present the C.C.P. is dismissed and respondents are discharged.



Member J

Brijesh/-


Vice-Chairman

15.01.04