

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD.

Dated : This the 25th day of February 2004.

Contempt Application no. 180 of 2003

in

Original Application no. 960 of 2002.

Hon'ble Maj Gen K.K. Srivastava, Member-A
Hon'ble Mrs. Meera Chhibber, Member-J

Ram Vilas Pandey, Ex. Khalasi Helper,
Under Inspector of Works/East Divisional Railway Manager,
North Eastern Railway,
R/o Vill Imiliya alias Vijihara,
Post Kustumbhi Bazar,
GORAKHPUR.

... Applicant

By Adv : Sri K.K. Tripathi

V E R S U S

1. Shree Om Prakash, General Manager,
N.E. Rly.,
GORAKHPUR.
2. P.K. Gupta, Chief Personnel Officer, NE Rly.,
GORAKHPUR.
3. L.C. Majumdar, Chief Accounts Officers,
N.E. Rly.,
GORAKHPUR.

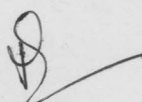
... Respondents

By Adv : Sri K.P. Singh

O R D E R

Mrs. Meera Chhibber, Member-J.

This Contempt Application was filed by the applicant claiming disobedience of the order passed by this Tribunal in OA no. 960 of 2002. By the said order direction was given to the respondents to consider the representation annexed by the applicant with the OA



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and to pass detailed and speaking order within a period of three months from the date of receipt of copy of the order under intimation to the applicant.

2. Learned counsel for the respondents ^{has} ~~now~~ filed a reply alongwith order dated 04.12.2003 whereby the respondents have admitted his claim with regard to counting his qualifying service from the period from 25.7.1964, as a result of which all the relevant changes have been made in the pension, gratuity etc and an amended PPO has also been issued on 17.11.2003. The respondents have explained that earlier he was given retiral benefits by treating his qualifying service as 30 years and 7 months ^{but} ~~and~~ after carrying out the correction his qualifying service has been treated as 32 years and one month. They have, thus, submitted that the direction given by this Tribunal has been complied with. However, learned counsel for the applicant submitted that the respondents have not given any reply with regard to his leave salary from the period ^{from} 8.2.1992 to 31.8.1992.

3. It is submitted by the applicant that the leave was already sanctioned from 18.2.1992 to 31.8.1992.

the order of this Tribunal.
4. We have seen/ The only direction given by the Tribunal was to decide his representation wherein he has raked up the issue with regard to his qualifying service from 25.7.1964 and since the respondents have already decided this aspect in favour of the applicant, we are satisfied that no case is made out for contempt. The contempt application is accordingly dismissed.

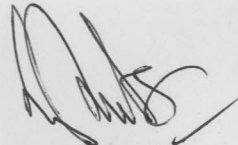
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Notices issued are discharged. However, if the applicant can show to the respondents that his period from 18.2.1992 to 31.8.1992 was already sanctioned as leave by giving a detailed representation to the authorities concerned, we are sure that the respondents shall consider this aspect of the matter as well, provided the applicant is able to show to the authorities that he had already given representation to the authorities on this issue *earlier also.*



Member-J



Member-A

/pc/