

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD.

Dated : This the 01st day of April 2010

Original Application No. 1312 of 2006

Hon'ble Mr. S.N. Shukla, Member (A)

Lallan, S/o late Sri Habblal, R/o Gram Tudihaar, Post Office
Nevariha, Thana Meja, Distt: Allahabad.

. . .Applicant

By Adv : Sri A.K. Dave

VERSUS

1. Union of India through the General Manager, North Central Railway, Allahabad.
2. The Divisional Railway Manager, North Central Railway, Allahabad.
3. Divisional Personnel Officer, North Central Railway, Allahabad.
4. Senior Section Engineer (P.W.I.), North Central Railway, Maja Road, Allahabad.
5. Chief Health Superintendent, North Central Railway, Allahabad.

. . .Respondents

By Adv: Sri P.N. Rai

ORDER

Learned counsel for the applicant invited the attention of this Tribunal to penultimate para of order dated 09.08.2007, which reads as under:-

"It is, therefore, directed that respondent No. 2 i.e. Divisional Railway Manager, N.C. Railway will take appropriate action within seven days from the date of receipt of a copy of this order to either make the applicant join in any of two posts or at least start paying him salary as due and admissible to him including the arrears of salary which has not been paid."

2. In compliance of the said order the applicant was allowed to join at Allahabad and also started receiving regular salary.

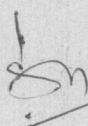
LSN

However, the Tribunal's order regarding payment of arrears was neither complied with nor any reasons communicated to the applicant or Court for not doing the same.

3. Records shows that on 02.09.2008 last opportunity was granted to the learned counsel for the respondents to make his submission regarding payment of arrears. Once again on 12.11.2008 at the request of learned counsel for the respondents case was adjourned to 15.12.2008 to make submissions. For the third time at the request of learned counsel for the respondents case was listed for 10.02.2009 vide order dated 15.12.2008 and when the case was listed earlier to this date i.e. on 17.11.2009 there is illness slip on behalf of respondents.

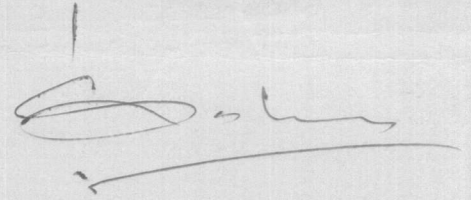
4. The above narration leaves no doubt in anybody's mind that not only respondents' have not complied with the Court's order dated 09.11.2009 in its entirety opportunities offered on the dates mentioned as above have been taken casually perhaps with no regards to the plight of the applicant and the valuable time of all concerned.

5. Learned counsel for the respondents seeks one more opportunity for making the submission. This Court is of the view that it is not a fit case for any further indulgence. The respondents are hereby directed to comply with the Court's order dated 09.01.2007 with regard to arrears within a period of four weeks from the date of receipt of copy of this order. The orders of the authorities on the due/payment of arrears as per rules will be



communicated to the applicant within the prescribed period of time as ordered alongwith the calculation/working of the same.

6. With the above direction all the relief claimed by the applicant in the OA have been disposed of. Accordingly the OA is also disposed of finally. No cost.



Member (A)

/pc/