

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

ALLAHABAD.

CIVIL CONTEMPT PETITION NO. 129 OF 2006

IN

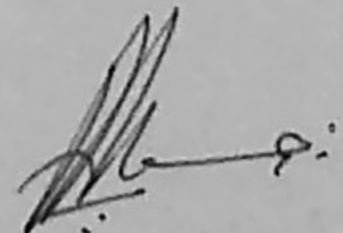
ORIGINAL APPLICATION NO. 1177 OF 1999.

ALLAHABAD THIS THE 12TH DAY OF OCTOBER 2007.

Hon'ble Mr. Ashok S. Karamadi, J.M

Hon'ble Mr. K.S. Menon, A.M

1. Raghuvar Dayal son of Ram Prasasd.
2. Bhola Nath Singh son of R.N Singh.
3. Mohan Lal Sharma son of Baijnath.
4. Ram Nand son of Ram Singhasan.
5. Prem Chand son of Nanhku.
6. L.R. Gond son of Pati Ram.
7. S.L. Yadav son of Aliyar.
8. I.D. Prasad son of O.P.B Rane.
9. Ram Nath son of Matru Ram.
10. B. Lal son of C. Lal.
11. N. Chowdhury son of D. Chowdhury.
12. Manohar Ram.
13. Kaushalya Devi Wife of Kapil Deo.
14. Smt. Munni Khatun W/o Akhtar Hassain.
15. D.D. Gupta son of R.D. Prasad.
16. Krishna Deo son of Sukalu.
17. Yogeshwar Pal son of R.K. Pal.
18. S.M Prasad s/o Deonath Pd.
19. S.N Singh s/o R.S. Singh.
20. S.K. Dutta s/o S.K. Dutta.
21. Janki Yadav son of Sonu Yadav
22. Suresh Singh son of J Singh
23. R.B Rai son of P.R. Rai
24. Shiv Lal son of Sona Lal
25. R.C. Tiwari son of Ganga Tewari.
26. Kali Charan son of Baiju.
27. Faujdar Ram son of H.M Prasad.
28. Hira Man son of Ram Kesh.



2.

29. B Thakur son of R.K. Thakur.
30. Baleshwar Yadav son of B. Yadav.
31. Ram Dular son of Shivdhar.
32. Nil Yadav son of Fakir Yadav.
33. B.N Pathak son of K. Pathak.
34. B., Paswan son of L. Ram.
35. N. Ansari son of A. Ansari.
36. Mahavir son of Banshi.
37. Smt. Phulwati Devi w/o J. Prasad.
38. Smt. Tara Devi W/o Baiju.
39. Sarju Singh s/o S.P. Singh.
40. C. Singh s/o Sukhari Singh.
41. M.P. Rawat son of S. Ram.
42. B.K Rawat son of Jhuri Ram.
43. Smt. Raj Kumari w/o Bhola Prasad
44. Smt. Parvati Devi w/o G. Ram.
45. Ram Charittar s/o Mangru.
46. Gajadhar Yadav son of
47. Kamla Prasad s/o Gudri Ram.

All employed as Khalasi Helper TRS./EC Rly. Mughalsarai, DT Chandauli.

.....Applicants.

(By Advocate: Sri S.K. Dey/Shri S.K. Mishra

Versus.

Shri Manoj Kumar, Senior D.P.O. E.C. Railway, Mughalsarai, Dt. Chandauli.

.....Respondent

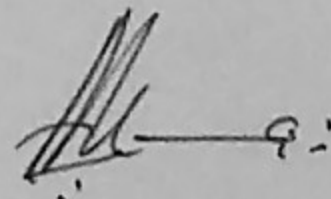
(By Advocate: Sri A.K. Dwivedi).

ORDER

By Mr. Ashok S. Karamadi, J.M

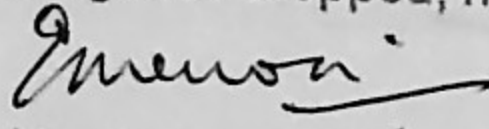
Heard Shri S.K. Mishra, learned counsel for the applicant and Shri A.K. Dwivedi, learned counsel for the respondents.

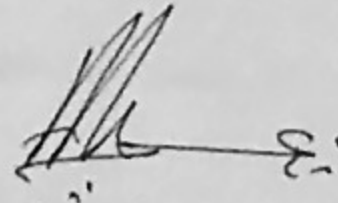
2. This application is filed against the order passed in O.A. NO. 1177 of 1999 dated 25.11.2005. The grievance of the applicant is that respondents have not complied with the order; hence this contempt petition is filed for taking against the respondents for willful disobedience of the order. Notice issued to the respondent. On notice, respondents have filed counter affidavit and stated that respondents have complied with the order and there is no



willful disobedience in pursuance of the order passed by the respondents. Respondents have passed necessary orders on taking into consideration the order passed by the Tribunal on 14.4.2006 produced as Annexure 1 to the Counter affidavit and consequently Annexure 2 and sought for dismissal of the O.A. This counter affidavit was served on the applicant's counsel on 3.11.2006, thereafter the applicant has filed rejoinder affidavit on 23.2.07. On seeing rejoinder affidavit filed by the applicant, it is clear that applicant is not satisfied the order passed by the respondents in compliance of the order dated 25.11.2005, therefore, in para 5, it is stated that even though promotion was given as per Tribunal's order but not promoted against 20% quota.

3. Having regard to the facts and circumstances and order passed on 14.4.06, on perusal of counter affidavit and documents produced by the respondents, we are ~~not~~ satisfied that respondents have ^{not} committed contempt. On the other hand, respondents have obeyed and consequently order was passed. In that view of the matter, we do not find any justifiable ground to continue the proceeding any further. Accordingly, contempt proceedings are dropped, notice is discharged.


Member-A


Member-J

Manish/-