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Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHBAD BENCH  
ALLAHABAD

Dated: this the 29<sup>th</sup> day of September 2008

Contempt Petition No. 157 of 2007  
IN  
Original Application No. 122 of 2007

Hon'ble Mr. A.K. Gaur, Member (J)  
Hon'ble Mrs. Manjulika Gautam, Member (A)

Ram Dulare, S/o late Shri Banshi Lal, Head Booking Clerk Kanpur Central Station Kanpur, R/o 642/341, Rajroop Pur Allahabad.

...Applicant

By Adv : Shri S.K. Singh

Versus

1. Shri Hari Ram Waghle, Chief Booking Supervisor, North Central Railway, Kanpur.
2. Shri Deepak Dave, the Divisional Railway Manager, North Central Railway, Allahabad.

...Respondents.

By Adv : Sri K.P. Singh

O R D E R

By Hon'ble Mr. A.K. Gaur, JM

We have heard Shri S.K. Singh learned counsel for the applicant and Shri K.P. Singh learned counsel for the respondents.

2. There is an innocuous direction of this Tribunal that the respondent No. 5 shall permit him to join the duties and the period of alleged absence on or after 8.8.2006 up to the date of joining shall be dealt with by the respondent No. 5 or other competent authority in accordance with the request of the applicant and

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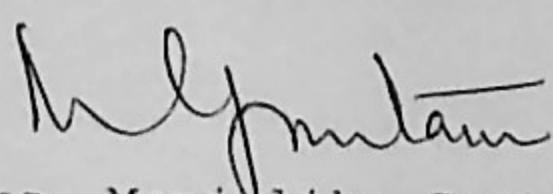
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also in accordance with the relevant rules, within a period of two months from the date such request is so made by the applicant alongwith the necessary certificates or copies of certificates.

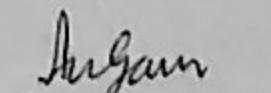
3. Shri K.P. Singh learned counsel for the respondents has invited our attention to paragraph No. 5 of the Counter Affidavit, wherein it is clearly mentioned that as per direction of this Court the applicant has already joined his duties on 09.08.2007. The representation of the applicant dated 25.08.2007 has already been considered by the Sr. D.C.M., North Central Railway, Allahabad and passed the following orders:

*"Accordingly the payment for the aforesaid leave period will be charged in the salary of Feb. 2008."*

4. In view of the aforesaid contention in the counter affidavit we find no merit in the contention of the learned counsel for the applicant. The order of this Tribunal dated 31.07.2007 has already been complied with. If the applicant is still aggrieved he may file fresh OA for redressal of his grievance. The Contempt Petition is accordingly dismissed. Notices issued to the respondents are discharged.



(Mrs. Manjulika Gautam)  
Member (A)



(A.K. Gaur)  
Member (J)

/pc/