

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD.

Dated : This the 06<sup>th</sup> day of April 2009

Contempt Petition No. 81 of 2007  
IN  
Original Application No. 1328 of 2005

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

1. B.N. Singh, S/o Shri Mudrika Singh, Working as TTE, Allahabad.
2. Shamaim Abbas, S/o Shri S. Abdul Hassain, Working as TTE, Allahabad.
3. Narendra Nath Verma, S/o Shri V.N. Verma, Working as TTE, Allahabad.
4. Om Prakash, S/o Shri Bhola Nath, Working as TTE, Allahabad.
5. Syed Gazanfar Abbas, S/o Syed Asghar, Working as TTE, Allahabad.
6. Jagdamba Prasad, S/o Shri Nizamuddin, Working as TTE, Allahabad.
7. Shahabuddin, S/o Shri Nizamuddin, Working as TTE, Allahabad.
8. Nivedita Rai S/o Shri N.G. Rai, Working as TTE, Allahabad.
9. Vishva Nath Pandey, S/o Shri Kamlakant Working as TTE, Allahabad.
10. Rahmat Ulla, S/o Shri Shafat Ulla, Working as TTE, Allahabad.
11. S.H. Chaudhari, S/o Shri Ram Manorath, Working as TTE, Allahabad.
12. Ghanshyam Singh, S/o Shri Ram Mahorath, Working as TTE, Allahabad.
13. Afzal Karim, S/o Shri K. Karim Working as TTE, Allahabad.
14. Mata Deen, S/o Ram Swaroop, Working as TTE, Allahabad.

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15. Siv Shankar, S/o Shri M.S. Tripathi, Working as TTE, Allahabad.
16. Rajan Singh, S/o Shri Pooran Singh Tundia, Working as TTE.
17. Ram Jee Mishra, S/o Shri Ram Prayag, Working as TTE, Allahabad.
18. Indra Jeet Singh, S/o Shri Prahalad Singh, Working as TTE, Allahabad.
19. Z.V. Khan, S/o Shri P.Y. Khan, Working as TTE, Allahabad.
20. Surya Bhushan Mishra, S/o Shri M.N. Mishra, Working as TTE, Allahabad.
21. Manoj Kumar, S/o Shri K.P. Tripathi, Working as TTE, Allahabad.

... Applicants

By Adv : Sri D.K. Mishra

#### V E R S U S

1. Shri Vevek Sahai, General Manager, (North Central Railway), Allahabad.
2. Shri Deepak Davay, Divisional Railway Manager (North Central Railway), Allahabad.

... Respondents

By Adv: Sri Anil Kumar

#### O R D E R

By Hon'ble Mr. A.K. Gaur, Member-J

List revised none appears for the applicant to press this Contempt Petition. Shri Anil Kumar appears on behalf of the respondents. It is settled principle of law that the contempt matters are between the Court and the contemnor. We have heard Shri Anil Kumar, learned counsel for the respondents.

2. Shri Anil Kumar, learned counsel for the respondents has invited our attention to paragraph No.

5 of the Suppl. Counter Affidavit and submitted that in view of the Hon'ble Apex Court judgment in case of Union of India and others Vs. Pushpa Rani the Hon'ble High Court has already allowed the Writ Petitions filed by the Railway Administration. Copy of the judgment and order of Hon'ble High Court dated 06.08.2008 has been filed as Annexure 1 to the OA. Shri Anil Kumar, learned counsel for the respondents would further contend that after the decision of Hon'ble Supreme Court in Union of India and others Vs. Pushpa Rani (supra) the dispute no longer exists and all pending Writ Petitions against the judgment and order of this Tribunal has been allowed by Hon'ble High Court. Copy of those judgments has been annexed alongwith Suppl. Counter Affidavit

3. In view of the averments made in the Suppl. Counter Affidavit we are satisfied that the respondents have not wilfully disobeyed the order of this Tribunal. The contempt petition is accordingly dismissed. Notices issued to the respondents are discharged.

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Member (A)

*Anil Kumar*  
Member (J)