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OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

CIVIL MISC. CONTEMPT PETITION NO.105 OF 2007
IN
ORIGINAL APPLICATION NO.758 OF 2006

ALLAHABAD THIS THE 3RD DAY OF JUNE 2008

HON'BLE MR. JUSTICE A. K. YOG, MEMBER-J
HON'BLE MR. K. S. MENON, MEMBER-A

Sri Niwas Dubey, Son of Kailash Nath Dubey,
Resident of Village Sonharia, Post Office
Chochakpur, District-Ghazipur.

.....Applicant

By Advocate : Shri Kirtikar Pandey

Versus

1. Sri Sukhveer Singh, General Manager,
North Eastern Railway, Gorakhpur.
2. Sri V.K. Tiwari, Chief Commercial Manager,
N.E. Railway, Gorakhpur.
3. Sri Ravi P. Chaturvedi, Senior
Divisional Commercial Manager, N.E. Railway,
Varanasi.
4. Sri Shailendra Tripathi, Divisional Railway
Manager, N. E. Railway, Varanasi.

.....Respondents

By Advocate : Shri Anil Kumar

O R D E R

HON'BLE MR. JUSTICE A. K. YOG, MEMBER-J

Notice to show cause as to why action for contempt be not initiated in exercise of its power under section 17 of Administrative Tribunal's Act 1985.

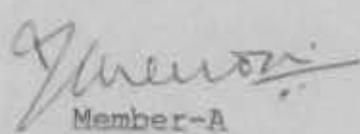
2. Grievance of the applicant, in brief, is that O.A. No.758 of 2006, Sriniwas Dubey Vs. General Manager N.A. Railway, Gorakhpur and Others was allowed by this Tribunal vide final order dated 15.02.2007 but the same has not been complied with by the respondents. It will be recorded that applicant has challenged transfer orders dated 14.06.2006 and

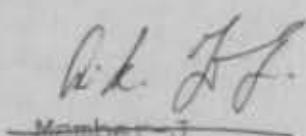
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23.06.2006 (Annexure 1 and 2) by which he has been shifted from Varanasi Division of Northern Railway to Izzatnagar, Bareilly Division. The Tribunal allowed the OA and quashed the impugned orders of transfer with a direction that applicant be allowed to work in Varanasi Division (Annexure-1 to the contempt petition). It appears that there were some delay in complying with the said order including the reason that respondent authorities had challenged order of the Tribunal in question before the High Court.

3. A compliance report (in the form of affidavit) has been filed by the respondents. One R.P. Chaturvedi the Then Sr. Divisional Commercial Manager, N. E. Railway, Varanasi apart from recapitulating aforementioned facts has categorically stated in para 6 and 7 of the said affidavit that order of Tribunal has been duly complied with and the applicant has been allowed to join his duties in Varanasi Division in compliance of the order. Copies of relevant orders has been filed as Annexure No.CA-1 & CA-2 of the said affidavit.

4. In view of the above we ~~do not~~ ^{do not} find ~~any~~ ^{any} reason to keep this contempt petition pending and is accordingly dropped. Notices issued to show cause in the contempt petition are hereby discharged.


Member-A


Member-B

/ns/