

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH.

No. CP(C) 53 of 1997 (OA 587 of 1996)

Present : Hon'ble Dr. B. C. Sarma, Member (A)

Hon'ble Mr. D. Purkayastha, Member (J)

R.K.DHARA

Vs.

1. Sri C.L.Kaw, Chairman, Railway Board, Rail Bhavan, Raisana Road, New Delhi.

2. Sri A.P.Murugesan, General Manager, E.Railway, 17, N.S.Road, Calcutta-1.

3. Sri A.S.Gupta, Chief Personnel Officer, E.Railway, 17, N.S.Road, Calcutta - 1.

... Respondents.

For petitioner : Mr. S.K.Dutta, Counsel.

For respondent(OP): Mr. C. Samaddar, Counsel.

heard on : 3.7.97 :: ordered on : 3.7.97.

O R D E R

B.C.Sarma, AM

When the matter was taken up for hearing and orders, Mr. S.K.Dutta, 1d. counsel for the petitioner, submitted that the appeal has been disposed of by the President of India and the applicant has also received the letter dated 5.6.97 intimating the decision of the appellate authority. Mr. Dutta further submitted that the petitioner does not want to proceed with the matter. However, he prays for liberty to challenge the appellate order passed by the President of India by filing a supplementary application to the O.A.. Such liberty is granted.

2. Mr.C.Samaddar, 1d. counsel for the respondents, files his reply to the CP(C). Mr. Samaddar submits that there was some delay in the disposal of the appeal and for that the alleged contemners have tendered unqualified apology. We have considered the submissions of Mr. Samaddar and we accept the



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apology tendered by him on behalf of the alleged contemners.

3. We find that there has been some delay in the matter of disposal of the appeal. However, the direction given in the order dated 30.7.96 passed in the O.A. has been substantially complied with. We are of the view that there is no ground for continuing the contempt proceeding. Accordingly, the CP(C) is disposed of as action taken.

4. We further grant liberty to the applicant in this case to challenge the appellate order dated 5.6.97 in a supplementary petition to be filed within a period of two weeks and the respondents are given liberty to file reply to both O.A. as well as supplementary petition to be filed by the applicant.

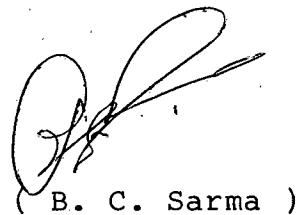
5. The O.A. is adjourned to 21.8.97.

6. Copy of this order may be kept as a part of the record in the O.A. 587 of 1996.



(D. Purkayastha)

MEMBER (J)



B. C. Sarma)

MEMBER (A)