

In The Central Administrative Tribunal  
Calcutta Bench

CP(C) 76 of 1998  
(OA 884 of 1993)

Present : Hon'ble Mr. S. Biswas, Administrative Member  
Hon'ble Mr. M.L. Chauhan, Judicial Member

Dhirendra Nath Pradhan

-VS-

S. Ramanathan & Ors (E.Rly)

For the Applicant : Mr. Samir Ghosh, Counsel

For the Respondents: Mr. R.K. De, Counsel

Date of Order : 16-05-2002

ORDER

MR. M.L. CHAUHAN, JM

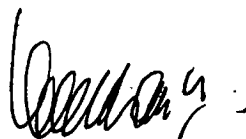
The petitioner has filed the aforesaid contempt petition with allegation that the order passed by this Tribunal in O.A.884/93 dated 11-12-1997 as contained in para 7 of the order has not been complied with. While disposing of the original application, this Tribunal vide its order dated 11-12-1997 in operative portion has held as under :


\*In view of the aforesaid circumstances, we are of the view that this is a fit case to issue direction upon the respondents to consider the case of the applicant from the date when his juniors i.e. respondent Nos. 7 to 11 were promoted to a higher grade or grades overlooking the place of the applicant in the seniority list without treating him that he had been holding the post of Material Clerk Gr.II on regular basis in the pay scale of Rs.260-400/- w.e.f. 1.8.78. It is also ordered that if the applicant was found suitable for promotion on the respective dates when he was superseded by his juniors; his promotion may be given accordingly and fixation of pay also be done notionally and no arrears should be paid till filing of this application before this Tribunal on 22.7.94 and applicant's seniority also should be recasted accordingly. The respondents should

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recast the seniority list of the applicant and to grant all reliefs to the applicant as per rules within six months from the date of communication of this order. Accordingly, the application is disposed of awarding no costs.\*

2. Respondent contemner has filed reply affidavit whereby it has been stated that the order of this Tribunal has been complied with vide order dated 3-6-1998 (Anneeure-R/1). According to us, the direction given by this Tribunal in O.A.884 of 1993 dated 11-12-1997 has been complied with. In case the petitioner/original applicant is still aggrieved, he can file substantive application for ventilating his grievance, if any, according to law. With this observation, contempt petition is disposed of. Notices issued to the respondents are hereby discharged.

  
( M.L. Chauhan )  
Member(J)

  
( S. Biswas )  
Member(A)

DKN