

OPEN COURT

**CENTRAL ADMINISTRATIVE TRIBUNAL,
LUCKNOW BENCH,
LUCKNOW**

CONTEMPT PETITION NO. 75 OF 2004

**IN
ORIGINAL APPLICATION NUMBER 332 OF 97**

LUCKNOW, THIS THE 15TH DAY OF MARCH 2005

**HON'BLE SHRI S.C. CHAUBE MEMBER (A)
HON'BLE SHRI K. B. S. RAJAN MEMBER (J)**

**P.K. Srivastava, aged about 41 years,
son of Shri T.P. Srivastava,
resident of B-71/1, R.D.S.O. Colony,]
Manak Nagar, Lucknow.**

.....Applicant

(BY Advocate Shri N.C. Srivastava.)

VERSUS

- 1. Shri A. K. Singh, Chairman, Railway Board, Rail Bhawan, New Delhi.**
- 2. Shri S.C. Jha, Additional Director General and officiating Director General, Research Designs and Standards Organisation, Manak Nagar, Lucknow.**

.....Respondents.

(By Advocate Shri S. Verma)

ORDER (ORAL)

BY HON'BLE SHRI S.C. CHAUBE MEMBER(A)

**This C.C.P. has been filed in pursuance to the direction : given by this
Tribunal vide order dated 17th September, 2003 passed in O.A. No.
332/1997 by which a direction was given to the respondents to promote**

Shank

the applicant to the post of Senior Section Engineer (w) w. e. f. 01.08.1997 with all consequential benefits within a period of one month.

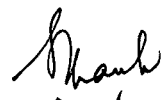
2. In view of the directions given by this Tribunal, the respondent i.e. Director General R.D.S. O. Lucknow, issued an order dated 23.10.2003 posting him on the post of Section Engineer. He was also promoted as Senior Section Engineer in the pay scale of Rs.7450-11500/- w. e. f. 01.08.1997. ^{As} Shri P. K. Srivastava had not, according to the respondents, discharged the responsibility of a higher post, ^{therefore} his pay was fixed on the basis of proforma fixation of pay. The applicant was also informed by the respondents that the fixation of pay in the higher scale will be done as per the provisions of FR-22 etc.

3. We have heard the counsel for the parties and perused the pleadings.

4. We are of the view that no case for contempt of court is made out. Accordingly, the Contempt Petition is dismissed with liberty to the applicant to seek legal remedy, if so advised, on the original side of jurisdiction of this Tribunal ^{and} ~~and~~ if he still feels aggrieved by the action taken by the respondents. Notices issued to the respondents are discharged.



(K.B.S. RAJAN)
Member (J)



(S.C. CHAUBE)
Member (A)