

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

**Contempt Petition no. 80 of 2005  
In re.**

**Original Application No. 572 of 2001**

This the 09th day of August, 2012

**Hon'ble Mr. Justice Alok Kumar Singh , Member-J  
Hon'ble Mr. S.P. Singh, Member-A**

Parmeshwardeen, aged about 61 years, S/o Sri Bandhu, R/o House no. 79, New Civil Lines, Nagheta Road, Near Bajrang Jabhi Udyog, Hardoi

.....Applicant

By Advocate : None

Versus.

1. Sri U.C. Dwadashspreni, working as General Manager, NER, Gorakhpur.
2. Amitab Lal, working as DRM, NER, Divisional Railway Manager's office, Hazratganj, Lucknow.
3. Sri Sukhvir Singh, G.M. N.E.R., Gorakhpur.
4. Ashmia Singh, DRM, NER, Hazratganj, Lucknow.
5. Shirish Kesarwani, Sr. Divisional Engineer-II, NER, Hazratganj, Lucknow.
6. Sri KBL Mitta, GM, NER, Gorakhpur.
7. Sri Vinod Kumar Yadav, DRM, NER, Hazratganj, Lucknow.
8. Sri A.M. Rizvi, Sr. Divisional Engineer, NER, Lucknow.  
.....Respondent.

By Advocate : Sri Rajendra Singh

**ORDER (Oral)**

**By Justice Alok K Singh, Member-J**

Nobody is responding for the applicant. Heard the learned counsel for the respondents. It is old Contempt petition of the year 2005. The order in question which was to be complied with is dated 4.11.2004 passed in O.A. no. 572 of 2001 by means of which the impugned order was quashed and set-aside with direction to the respondents to pay full pay and allowances to the applicant for the intervening period and treat the period as having been spent on duty for all purposes. However, request for grant of interest was denied. This



Contempt petition is pending for the last seven years. During this period, several incumbents had either been transferred or retired. Some of them, however, have also filed almost similar compliance reports. The last compliance affidavit is of Sri V.K. Yadav, who is presently posted as Divisional Railway Manager, North Eastern Railway, Lucknow, which has been filed on 17.5.2012. An objection has also been filed against it.

2. We have gone through the Compliance Affidavit and also Objection filed by the applicant.

3. Compliance has been specifically reported in para nos. 3 & 4 of the above Affidavit. These paragraphs are as under:

*"3. That in compliance to the judgment and order dated 4.11.2004 the Divisional Railway Manager (Personnel), Lucknow vide Office Order no. 262/12 dated 23.4.2012 has sanctioned the full salary to the applicant w.e.f. the date of removal i.e. 28.6.1991 to the date of judgment and order dated 12.5.1997.*

*4. That in pursuance to the order dated 23.4.2012, cheque no. 3772090 dated 30<sup>th</sup> April, 2012 amounting Rs. 2,27,385/- towards payment of arrears of salary w.e.f. the date of removal i.e. 28.6.1991 to the date of judgment and order dated 12.5.1997 has been issued to the applicant. A photocopy of the cheque dated 30.4.2012 is being annexed herewith as Annexure no. CR-1 to this Compliance Report."*

4. As against above compliance Affidavit, the main objection is that no calculation sheet has been filed by the respondents. The applicant has filed self made calculation charts; one with his Objection in respect of alleged balance pay & allowances allegedly still due and the other with Supplementary Affidavit in respect of alleged balance amount of pension still to be paid. This can be adjudicated in separate O.A. and not in the Contempt petition. As far as this Contempt Petition is concerned, we are of the view that the substantial compliance has been made. Therefore, this Contempt petition stands struck off in full and final satisfaction. Notices are discharged.

*S.P. Singh*  
9.8.12  
**(S.P. Singh)**  
**Member-A**

*Alok Kumar Singh*  
9.8.12  
**(Justice Alok K Singh)**  
**Member-J**