

CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH, LUCKNOW

CCP No. 7/2010 in Original Application No. 384/2009

This, the 28th day of August, 2012

HON'BLE JUSTICE ALOK KUMAR SINGH, MEMBER (J)
HON'BLE SHRI S.P. SINGH, MEMBER (A)

Shubh Narain aged about 35 years son of Sukhare Yadav c/o Om Pratap , Mohalla Dakhhin Tola, Post Banki, District- Barabanki, U.P.

Applicant.

By Advocate: Sri M.A.Siddiqui

Versus

1. Sri U.C. Dawadashi Sherin, General Manager, NE Railway, Gorakhpur.
2. Sri Anil Dadaria, ADRM/ NE Railway, Ashok Marg, Lucknow.
3. Sri Ramesh Singh, ATEN, DRM Office, NER Ashok Marg, Lucknow.
4. Sri D.K.Srivastava, Section Engineer (Works) NE Railway, Bandariya Bagh, Lucknow.
5. Sri Asad M.Rizvi, Senior DEN (Samanya) NE Railway, Lucknow

Respondents.

By Advocate: Sri R.K.Ranjan

ORDER (Dictated In Open Court)

By Hon'ble Shri Justice Alok Kumar Singh, Member (J)

Heard and perused the material on record, including the compliance report , whereby the detailed order passed by the respondents on 6.11.2009 has been enclosed.

2. We have carefully gone through the entire order.
3. It is specifically mentioned in this order that the applicant worked on election duty from 18.4.2009 to 18.5.2009 in the election office. From 10.4.2009 to 7.5.2009, in the relevant column for showing additional work, the entry of nil has been entered whereas for the entire period of one month, overtime has been claimed for 517 hrs, which has not been verified by the ADM (Civil Supplies) who was the controlling authority during the period. Verification has been done only in respect of duty and not in respect of extra hrs. / overtime. Secondly, it has been noticed that

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it was the duty of the driver i.e. the applicant himself to fill the relevant column of log book. But in the entire log book, the traveling has been mentioned for 10 kms only. In the above back drop, it has been found that the contention of the applicant is not acceptable that he was on the vehicle in question continuously without having any time for answering to natural call and without having time for taking meals for continuous 31 days. It is rally humanly impossible as mentioned in this order. Lastly, it has been concluded that prima facie it appears to be the case of cheating. However, after the orders passed by the CAT, recovery has been closed.

4. In view of the above, there does not appear to be any willful disobedience. As far as compliance is concerned, it appears to has been made. Therefore, this contempt petition is struck of with full and final satisfaction. Notices stand discharged.


28.8.12
(S.P.Singh)
Member (A)


28.8.12
(Justice Alok Kumar Singh)
Member (J)

HLS/-