

CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH, LUCKNOW

CCP No. 17/2010 in Original Application No.58/1992

This, the 22nd day of February, 2012

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

1. Syed Ahmad Khan aged about 60 years son of Sri Abdul Saqir r/o Railway Colony, City Station, Lucknow.
2. Yadodanand aged about 63 years son of Udai Narain Lal r/o 301 New Indira Avas Colony, District- Gonda.
3. Razia Bano w/o late Mohammad Sabbir Khan.
4. Mohd . Nadeem Khan son of late Mohammad Shhabir khan.
5. Abdul Aleem s/o late Mohammad Shhabir Khan.
6. Sadia Bano d/o late Mohammad Shabbir Khan.
7. Tahira Bano d/o late Mohammad Shabbir Khan.
8. Sajida Bano d/o late Mohammad Shhabir Khan applicants No.3 to 8 ro 21/4, Avas Vikas Colony, Gonda.
9. Smt. Malti Nigam w/o late V.K.Nigam r/o Mashak Ganj, Lucknow.
10. Smt. S. Begum w/o late Sadiq Ahmed Shah r/o Mohalla Sawatpur Kanpur.
11. Naseem Ahmad Shah s/o late sadiq Ahmad Shah, r/o Mohalla Sawatpur, Kanpur.
12. Ashfaq Ahmad Shah s/o late Sadiq Ahmad Shah, r/o Mohalla Sawatpur, Kanpur.
13. Hausla Prasad Dwivedi aged about 59 years son of late Devi Prasad Dwivedi r/o Railway Colony, City Station, Lucknow.

Applicants.

By Advocate: A.Moin

Versus

Ashok Kumar Singh Divisional Railway Manager, North Eastern Railway, Ashok Marg, Lucknow.

Respondents.

By Advocate: Sri Arvind Kumar

ORDER (Dictated in Open Court)

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

Heard.

2. In para 7 of the compliance report, it is mentioned that the competent authority had considered the contents of the Original Application No. 58 of 1992 as representation and had considered the case of the applicants for promotion in the light of judgment and the benefit given to Bhadra Sen Rai. Finally, the competent

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authority has passed a speaking and reasoned order which has also been duly communicated.

3. From the other side, it is vehemently opposed on the ground that proper compliance has not been made.

4. At this stage, we perused the order in question. The only direction was to consider the claim of the applicants for grant of promotion in Class III in the light of the decision of the Tribunal in Bhadra Sen RAi case by passing a reasoned and speaking order within a period of 3 months. As said above, the said order has already been passed. It appears to be reasoned and speaking order. This Tribunal while sitting in contempt jurisdiction, cannot go behind the correctness of the order. The only direction was to pass a speaking and reasoned order which has been done. Nothing remains to be complied with. Thus, the substantial compliance has been made.

2. In view of the above, this contempt petition is disposed of in full and final satisfaction. Notices stand discharged. No order as to costs.

3. At this stage, learned counsel for applicant says that liberty may be given to him for filing of O.A., if he feels aggrieved. There is no requirement for giving such liberty. If he is aggrieved by an order, he can file an OA in accordance with law

S.P.Singh
22.2.12
(S.P.Singh)

Member (A)

HLS/-

Alok Kumar Singh
(Justice Alok Kumar Singh)
Member (J) 22.2.12