



Mr.V.B.Marathe for the applicants is present. We have heard Mr.C.J.Shah with Mr.V.G.Rege and Mr. Subodh Joshi, learned advocate for the respondents.

2. By order dated 23.1.1990 we had issued notices to Mr. M.B.Taly, Chief Operating Superintendent, C.Rly., Bombay V.T., Mr.K.M.Bhargava, Divisional Railway Manager, C.Rly., Solapur and Mr. S.P.Desai, Addl. Divisional Railway Manager, Central Railway, Solapur. The above officers were asked to remain present personally before this Tribunal on 7.2.1990. But that date was postponed to today because it was not possible to serve notices on them before that date.

3. Today, each of these officers have filed separate affidavit. They are also present before us. They have pointed out that the direction in the order dated 25.9.1989 is fully complied with by publishing the panel by Notification dated 1.2.1990. By that Notification, a copy of which is attached at Ex.'D' to Mr. Bhargava's affidavit, the result of selection conducted in DRM's Office, Solapur, on 9.6.89 and 16.6.89 for the post of Passenger Guards ~~was~~ notified and 37 employees, two of whom are SC Candidates, are placed on the panel for promotion to the post of Passenger Guard.

4. We, therefore, find that the directions given by this Tribunal on 25.9.1989 are complied with. It was not for complying with these directions that the Contempt Petition was required to be filed by the applicants. We may point out that in each affidavit<sup>tendered</sup> the officer concerned has unconditional and unqualified apology for the error committed by him. In view of all the above facts, we now dispose of M.P.No. 907/89 which we have treated as Contempt Petition. There will be no order as to costs. The Contempt proceeding is dropped.

  
(M.Y. PRIOLKAR)  
Member (A)

  
(M.B. MUJUMDAR)  
Member (J)