

**CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, MUMBAI.**

Dated this Tuesday the 9th day of February, 2010

**Coram: Hon'ble Shri Justice A.S.Bagga - Member (J)
Hon'ble Shri R.C.Joshi - Member (A)**

Contempt Petition No.61 of 2009

in

OA 540 of 2001

S.K.Jaffar,
Senior Section Engineer,
Central Railways, Parel Workshops,
Parel, Mumbai.
R/o Railway Quarter,
No.RB/III/273/2, Railway Colony,
Parel, Mumbai.

(By Advocate Shri K.R.Yelwe)

- Petitioner

Versus

Shri S.S.Khurana,
The Chairman,
Railway Board,
Ministry of Railways,
Rail Bhawan, New Delhi.

Shri B.B.Modgil,
The General Manager,
Central Railways,
Headquarters, CST, Mumbai.

Shri B.L.Patil,
The Chief Works Manager,
Central Railway Workshops,
Parel, Mumbai.

Shri Sourav Prasod,
The Deputy Chief Mechanical
Engineer (D),
Central Railway Workshops,
Parel, Mumbai.

Shri Rakesh Vatash,
Senior Deputy General Manager (Vig),
Central Railway Headquarters,
CST, Mumbai.

- Respondent/Contemnors

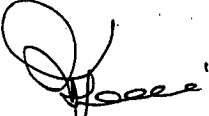
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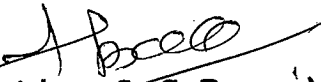
Heard the learned counsel for the petitioner.

2. We have seen order dated 22.10.2003 passed in OA 540 of 2001 (**S.K.Jaffar Vs. Union of India & others**) but this order has been modified by the High Court in W.P.No.2984 of 2004 decided on 27.3.2008 and it is stated that the Railways have moved the Hon'ble Supreme Court in SLP. ~~Whatever final orders will be passed, respondents will be under obligation to comply with it.~~ *Devi*

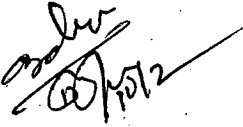
We are not inclined to entertain this Contempt Petition for two reasons. One is that the order which is sought to be implemented has been modified by the High Court and secondly, the order of the High Court is challenged before the Hon'ble Supreme Court. Whatever orders will be passed by the Hon'ble Supreme Court, the respondents will be under obligation to comply. There is no

urgency in the matter. Therefore, the learned counsel requests for withdrawing the Contempt Petition. The Contempt Petition is disposed of as withdrawn.


(R.C. Joshi)
Member (A)


(Justice A.S. Bagga)
Member (J)

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6/10/12