

IN THE CENTRAL ADMIN. TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

CP.50/94 in  
OA.375/94

date of decision : 2-12-1994

Between

1. IRK Rao
2. NVR Subramanyam
3. AKDV Prasad
4. A. Bhagwath Rao
5. B.S. Prasad
6. DVS Narayana

: Petitioners

and

Sri Venkat Rao  
Divisional Railway Manager (Personnel)  
S.E. Railways  
Waltair

: Respondent

Counsel for the applicants : S. Ramakrishna Rao  
Advocate

Counsel for the respondent : S.S. Sanghi, SC for  
Railways

CORAM :

HON. M.R. JUSTICE V. NEELADRI RAO, VICE CHAIRMAN

HON. MR. R. RANGARAJAN, MEMBER (ADMN.)

CP 50/94  
in  
OA 375/93.

Dt. of Order: 2-12-1994.

(Order passed by Hon'ble Justice Shri V.Neeladri Rao,  
Vice-Chairman)

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The applicants in the Original Application filed this Contempt Petition by alleging that the sole Respondent violated following the/interim order dt.21-2-1994, ~~passed~~ which reads as under:-

"Any promotion that is going to be made during the pendency of this O.A. is subject to the result in this OA. If any promotion is going to be given hereafter, it has to be mentioned in the promotion order that the promotion is subject to the result of the OA".

2. It is contended for the applicants that as it is not mentioned in the order dt.4-7-94 (Annexure-II to the C.P. in promoting the Loco Shunters and ETs referred to therein as Goods Drivers (DL/Elect) ), <sup>that the</sup> said promotions are subject to the final order in the O.A.375/93, the Respondent violated the interim order dt.21-2-94 passed by this Bench and hence the Respondents are liable for contempt.

3. The applicants are working as Asst.Electrical Drivers.

The ~~Avenue~~ of promotion for them is Loco Shunter and ETs.

The interim order dt.21-2-94 is applicable only in regard to the promotions of Asst.Elect. Drivers to the post of Loco Shunters and ETs. The Annexure-II order dt.4-7-94 is not in regard to promotions from the post of Asst.Elect. Drivers to the post of Loco Shunters and ETs. As such the contention of the applicants that the Respondents committed contempt in

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not mentioning in Annexure-II that the said promotions are  
subject to the final orders in OA 375/93 is not ~~maintainable~~ <sup>tenable</sup>.

4. In the result, the C.P. is dismissed. /

*Me G*

(R.RANGARAJAN)  
Member (A)

*X*  
(V.NEELADRI RAO)  
Vice-Chairman

Dt. 2nd December, 1994.  
Dictated in Open Court.

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*Amelia*  
Deputy Registrar (J)CC

To

1. Sri Venkat Rao, Divisional Railway Manager (Personnel)  
S.E.Rlys, Waltair.
2. One copy to Mr. S. Ramakrishna Rao, Advocate, CAT.Hyd.
3. One copy to Mr. G. S. Sanghi, SC for Rlys, CAT.Hyd.
4. One copy to Library, CAT.Hyd.
5. One spare copy.

pvm.

*Engd Jan 1994*