

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

Date of Order : 22.5.95.

CP 65/94
(OA 140/92)

Devji Tiwari s/o Shri Lal Ji Tiwari, aged about 35 years,
resident of House No.17-B, Type-II, Railway Colony, Bayana.

... PETITIONER.

Versus

1. Shri S.B. Mathur, General Manager, Western Railway, Churchgate, Bombay.
2. Shri M. Sirrajuddin, Divisional Railway Manager, Kota.
3. Shri Sanjeev Bhardwaj, Senior Divisional Electrical Engineer, TRD, Western Railway, Kota.

... RESPONDENTS/CONTEMNERS.

CORAM:

HON'BLE MR. GOPAL KRISHNA, VICE CHAIRMAN.
HON'BLE MR. O.P. SHARMA, MEMBER (A).

For the Petitioner ... SHRI VIRENDRA LODHA.

For the Respondents ... SHRI MANISH BHANDARI.

O R D E R

(PER HON'BLE MR. GOPAL KRISHNA, VICE CHAIRMAN)

Petitioner Laxman Singh Yadav has filed this Contempt Petition against the respondents u/s 17 of the Administrative Tribunals Act, 1987, stating therein that since the respondents have not implemented the judgement of the Tribunal in OA 140/92 dated 18.11.93, they ought to be punished for committing contempt.


2. The directions issued by the Tribunal in the OA aforesaid were that the applicant/petitioner is

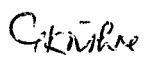
Cpkr/144

.....2.

entitled to seniority in the Kota Division on the basis of his date of appointment and the respondents shall take necessary action in this regard within a period of four months from the date of receipt of a copy of the order. It was also clarified that in the circumstances of the case, the promotions already granted to employees to the grade of Electrical Fitter Grade-II (scale Rs.1200-1800) shall not be disturbed. In the reply filed on behalf of the respondents it has been categorically stated that the applicant/petitioner has been promoted to the post of Electrical Fitter Gr.II and he has been assigned seniority in the said higher post on the basis of passing of the trade test relevant to that post. In the circumstances, regardless of whether correct seniority has been assigned to the petitioner to the post of Electrical Fitter Gr.II, the seniority in the lower post has now no relevance to the case of the petitioner because the petitioner holds a higher post of Electrical Fitter Gr.II on the basis of correctly assigned seniority in the higher post. These facts are not disputed now.

3. In the circumstances, no case of contempt is made out against the respondents/contemners. This Contempt Petition is, therefore, dismissed. Notices issued are hereby discharged.


(O.P. SHARMA)
MEMBER (A)


(GOPAL IRISHNA)
VICE CHAIRMAN