

(13)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

* * *

Date of Order: 14.5.1999

CP 117/94 (OA 334/92)

Chhote Lal, Chargeman (Diesel/Electrical), Diesel Shed, Abu Road.

... Petitioner

Versus

1. Shri P.V.Veethisharan, General Manager, Western Railway, Churchgate, Mumbai.
2. Shri A.K.Malhotra, Divisional Railway Manager, Western Railway, Ajmer.
3. Shri Ravindra Gupta, Sr.Divisional Mechanical Engineer, Diesel Shed, Western Railway, Abu Road.

... Respondents

CORAM:

HON'BLE MR.GOPAL KRISHNA, VICE CHAIRMAN

HON'BLE MR.GOPAL SINGH, ADMINISTRATIVE MEMBER

For the Petitioner

... Mr.Amit Mathur, Advocate,
brief holder for Mr.R.N.Mathur

For the Respondents

... Mr.Manish Bhandari

O R D E R

PER HON'BLE MR.GOPAL KRISHNA, VICE CHAIRMAN

Petitioner, Chhote Lal, has filed this Contempt Petition under Section 17 of the Administrative Tribunals Act, 1985, stating therein that the respondents by not implementing the order of the Tribunal dated 21.6.93 passed in OA 334/92 have committed contempt of court.

2. Heard Mr.Amit Mathur, Advocate, brief holder for Mr.R.N.Mathur, counsel for the petitioner, and Mr.Manish Bhandari, counsel for the respondents. We have carefully perused the records.

3. The operative portion of the order passed in the OA, referred to above, reads as follows :-

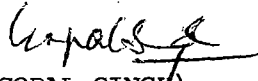
"We accept the petition and direct the respondents to treat the applicant as a member of the Scheduled Caste and to extend him all benefits from the date when he produced the certificate (Annexure R-2) in 1964 and thereafter other persons of the Scheduled Caste junior to the applicant were given the benefits of promotion."

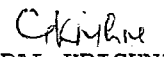
It is borne out by the reply filed by the respondents that the petitioner has been treated as a Scheduled Caste candidate since the year 1964 and he was given due promotions from time to time. There is no evidence worthwhile on

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the record to indicate that any member of the Scheduled Caste junior to the petitioner was given the benefit of promotion earlier than the petitioner. In the circumstances, we do not find that there was any wilful disobedience of the directions of the Tribunal. No case of contempt is, therefore, made out against the respondents. If the petitioner is still aggrieved, he may file a fresh OA.

4. The Contempt Petition is dismissed. Notices issued are discharged.


(GOPAL SINGH)
ADM. MEMBER


(GOPAL KRISHNA)
VICE CHAIRMAN

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