

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, (15)

JAIPUR

Date of decision: 19-12-1995

CP No.17/94 (TA No.322/92)

Parameshwari Sahai Saxena

.. Petitioner

VERSUS

S.B.Mathur, G.M., Western Railway and Others

.. Respondents

CORAM:

HON'BLE MR. GORAL KRISHNA, VICE CHAIRMAN

HON'BLE MR. O.P.SHARMA, ADMINISTRATIVE MEMBER

For the Applicant

.. Present in person

For the Respondents

.. Mr. Manish Bhandari

ORDER

PER HON'BLE MR. O.P.SHARMA, ADMINISTRATIVE MEMBER

In this Contempt Petition under section 17 of the Administrative Tribunals Act, 1985, Petitioner Parameshwari Sahai Saxena has prayed that the respondents may be punished for contempt of court for not complying with the Tribunal's order dated 29-7-93 passed in TA No. 322/92.

2. We have heard the applicant and the learned counsel for the respondents.

3. The operative part of the Tribunal's order dated 29-7-93 reads as follows:

"6. In the circumstances, we hold that the order of reversion dated 11-7-83 is bad in law. It is hereby quashed. The applicant shall be treated as continuing on the post of Head Clerk from the date of his original appointment and till his superannuation on 31-10-84. He shall also get all consequential benefits such as arrears of pay and pensionary benefits. The respondent are directed to grant all these benefits to the applicant within a period of 4 months from the date of receipt of this order."

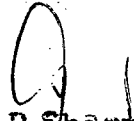
4. The respondents have stated that in consequence of the Tribunal's direction, the applicant has been considered as continuing on the post of Head Clerk from the date of his original appointment to the said post till his superannuation on 31-10-84 and that he has also been paid all


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consequential benefits such as arrears of pay and pensionary benefits.

5. The applicant, however, stated that monetary benefits arising on account of his promotion which were due to him during the aforesaid period have not been paid to him.

6. We have carefully perused the order passed on 29-7-93 and find that the directions regarding the consequential benefits to be paid to the petitioner were specific and these did not extend to grant of any monetary benefits arising on account of his promotion. ~~That~~ may be due to the applicant but have not been granted. In these circumstances, we find that there is no longer any case of contempt against the respondents. The contempt petition no longer survives and is dismissed. Notices issued are discharged.


(O.P. Sharma)
Member(A)


(Gopal Krishna)
Vice-Chairman