

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR**

ORDER SHEET

ORDERS OF THE TRIBUNAL

12.11.2009

CP 5/2009 with MA 320/2009 (OA 451/2003)

Mr.C.B.Sharma, proxy counsel for
Mr.P.P.Mathur, counsel for applicant.
Mr.V.S.Gurjar, counsel for respondents.

Heard learned counsel for the parties. The CP as well
as MA stand disposed of by a separate order.


(B.L.KHATRI)
MEMBER (A)


(M.L.CHAUHAN)
MEMBER (J)

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
JAIPUR BENCH, JAIPUR.

Jaipur, the 12th day of November, 2009

CONTEMPT PETITION No.5/2009

WITH

MISC. APPLICATION No.320/2009

IN

ORIGINAL
TRANSFERRED APPLICATION No.451/2003

CORAM :

HON'BLE MR.M.L.CHAUHAN, JUDICIAL MEMBER
HON'BLE MR.B.L.KHATRI, ADMINISITRATIVE MEMBER

Abdul Rashid
S/o Shakur Khan,
C/o Milan Kirana Stores,
Behind 40 Railway Quarters,
Ekta Colony, Gangapur City,
Sawai Madhopur.

... Petitioner/Applicant

(By Advocate : Shri C.B.Sharma, proxy counsel for
Shri P.P.Mathur)

Versus

1. Shri V.K. Manglik,
General Manager,
West Central Railway,
Jabalpur.
2. Shri Arun Saxena,
Divisional Railway Manager,
Kota Division,
West Central Railway,
Kota.

... Respondents

(By Advocate : Shri V.S.Gurjar)

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ORDER (ORAL)


The applicant/petitioner has filed this Contempt Petition for alleged violation of the order dated 29.3.2005, passed by this Tribunal in OA No.451/2003.


2. Notice of this CP was given to the respondents, who have filed their reply stating that the order passed by this Tribunal on 29.3.2005 was challenged before the Hon'ble High Court in DB Civil Writ Petition No.745/2006, which was dismissed by the Hon'ble High Court. Then the matter was challenged before the Hon'ble Supreme Court by filing SLP (Civil) with an interim prayer that contempt proceedings may not be initiated till the proceedings before the Hon'ble Supreme Court are concluded. However, during pendency of this CP, the SLP filed by the respondents has also been dismissed by the Apex Court.

3. Now, the respondents have moved MA 320/2009 thereby annexing copy of the order dated 1.10.2009 (Ann.MAR/1), whereby the respondents have issued an order in compliance of the order passed by this Tribunal on 29.3.2005.

4. In view of this subsequent development, the present CP does not survive for consideration and the same stands disposed of accordingly. Notices issued to the respondents are hereby discharged. In case the applicant feels aggrieved by the order dated 1.10.2009, he will be at liberty to file a substantive OA.

5. MA 320/2009 shall also stands disposed of.


(B.L.KHATRI)
MEMBER (A)


(M.L.CHAUHAN)
MEMBER (J)

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