

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

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Date of Decision: 09.10.2003

CP 8/2003 (OA 219/97)

Arvind Kumar s/o Shri Ram Swaroop r/o Chudiya Darwaja, Ward No.15,
Hindauncity, Distt. Sawaimadhopur.

... Petitioner/Applicant

Versus

1. Shri V.D.Gupta, General Manager, W/Rly, Churchgate, Mumbai.
2. Shri R.K.Meena, Divisional Rly Manager, North-West Railway, Jaipur Division, Jaipur.
3. Shri I.C.Sharma, Divisional Rly Manager, W/Rly, Kota.
4. Shri B.B.Sharan, Divisional Rly Manager, W/Rly, Ajmer.

... Respondents

CORAM:

HON'BLE MR.M.L.CHAUHAN, JUDICIAL MEMBER

HON'BLE MR.A.K.BHANDARI, ADMINISTRATIVE MEMBER

For the Applicant/Petitioner

... Mr.P.P.Mathur

For the Respondents

... Mr.S.S.Hasan

ORDER (ORAL)

The present Contempt Petition has been filed by the applicant/petitioner against the alleged violation of the order dated 5.7.2002, passed in OA 219/97. While disposing of the said OA, this Tribunal in para-6 had observed as under :

"6. In the conspectus of the circumstances as discussed above and having taken a note that respondents are now going to appoint the applicant in a clerical category, we direct the respondents to issue a letter of appointment to the applicant within a period of one month from the date of receipt of a certified copy of this order. We also make it clear that the applicant shall be posted in the same department where Ku.Hemlata Mathur, has been posted in Jaipur Division and he shall be assigned seniority above the said Ku.Hemlata Mathur, as he was senior in the merit position in the recruitment panel. We also find that it is a fit case where an exemplary cost should be imposed on the respondents for having kept the applicant waiting for a number of years while his juniors were appointed. We feel that at this stage, there cannot be an adequate compensation for the applicant who has been kept out of employment for years, we consider it necessary to impose a cost of Rs.20,000/- (Twenty Thousand Rupees) which shall be paid to the applicant within two months from the date of this order."

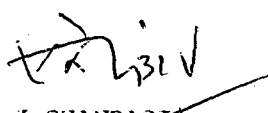
2. Notice of this CP was given to the respondents, who have filed their reply. In the reply it has been stated that the cheque bearing No.525472 dated 27.5.2003 amounting to Rs.20,000/- has been issued to the petitioner/applicant. It is further stated that order of appointment has also been


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sent to the petitioner/applicant on two occasions but he did not report for duty. It has been brought to our notice that that the applicant/petitioner attended the office on 30.9.2003 and 1.10.2003. The respondents are directed to take further follow up action pursuant to the directions issued by this Tribunal vide order dated 5.7.2002.

3. The learned counsel for the applicant/petitioner submitted that the aforesaid cheque amounting to Rs.20,000/-, issued by the respondents, could not be encashed and it requires revalidation. He prays that a direction be issued to the respondents to revalidate the aforesaid cheque. We are of the view that no such direction is required in the matter. In case the applicant present the aforesaid cheque before the authorities for revalidation, we see no reason for the respondents to deny the same.

4. In view of the aforesaid, the present CP does not survive and the same stands disposed of accordingly with no order as to costs.


(A.K.BHANDARI)
MEMBER (A)


(M.L.CHAUHAN)
MEMBER (A)