

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH

Jaipur, this the 08th day of February, 2010

CORAM:

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

1. **CONTEMPT PETITION NO. 1/2010**

IN

ORIGINAL APPLICATION NO. 464/2004

Shiv Raj Singh Solanki son of Shri Roop Singh Ji, Technician
Grade II C/o SSE, TRD Kota West Central Railway, Kota
Rajasthan.

.....APPLICANT

(By Advocate: None)

VERSUS

1. Shri V.K. Manglik, General Manager, West Central Railway,
Jabalpur (M.P.).
2. Shri Madhukar Meshram, Divisional Railway Manager, West
Central Railway, Kota Rajasthan.

.....RESPONDENTS

(By Advocate: -----)

2. **CONTEMPT PETITION NO. 2/2010**

IN

ORIGINAL APPLICATION NO. 174/2005

Vishnu Kumar Gautam son of Shri Sarnam singh aged 44 years,
resident of 76-L/B, Type II, Broad Gauge Railway Colony,
Sawaimadhopur Rajasthan.

.....APPLICANT

(Applicant present in person)

VERSUS

1. Shri V.K. Manglik, General Manager, West Central Railway,
Jabalpur (M.P.).
2. Shri Madhukar Meshram, Divisional Railway Manager, West
Central Railway, Kota Rajasthan.

de

.....RESPONDENTS

(By Advocate: -----)

ORDER (ORAL)

By this common order, we propose of dispose of both these Contempt Petition as common question of law & facts is involved.

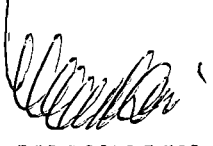
2. This Tribunal vide judgment dated 25.07.2007 in OA No. 464/2004 and judgment dated 26.07.2007 in OA No. 174/2005 has directed the respondents to prepare fresh panel thereby quashing the earlier panel. The respondents in compliance of order passed by this Tribunal have passed the fresh panel, which ^{order of Tribunal} was also affirmed by the Hon'ble High Court.

3. In these Contempt Petitions, the applicants have stated that while preparing the panel pursuant to the judgment, the respondents have malafidely reduced their marks and enhanced the marks of some of their favourite candidates. On this basis, the applicants wants that notices be issued to the respondents.

4. We have given due consideration to the submission made by the applicants. We are of the view that these Contempt Petitions cannot be entertained on this ground. The fact remains that in compliance of the direction given by this Tribunal, the respondents have prepared the fresh panel. Thus the judgment of this Tribunal has been complied with. In case the applicants are aggrieved that the panel has not been correctly prepared in terms of the order passed by this Tribunal, Contempt Petition is not the remedy. For that purpose, it will be open

for the applicants to challenge the fresh order. Accordingly, both these Contempt Petitions are dismissed at admission stage.


(B.L. KHATRI)
MEMBER (A)


(M.L. CHAUHAN)
MEMBER (J)

AHQ