

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR

DATE OF ORDER: 16.03.2001

CP. No. 12/98  
(OA 122/93)

Balwant Singh Joytiana son of Shri S.S. Joytiana aged about 46 years resident of Railway Quarter No. 183 Jonsgang, Ajmer, at present employed on the post of Chief Clerk in Loco Workshop, Western Railway, Ajmer Division, Ajmer.

.....Petitioner

Versus

Shri S.P. Singh, Chief Works Manager, Loco Workshop, Western Railway, Ajmer Division, Ajmer.

.....Respondents

Mr. S.D. Sharma, Proxy counsel for

Mr. Shiv Kumar, Counsel for the Petitioner

Mr. Manish Bhändari, Counsel for the respondents.

CORAM

Hon'ble Mr. S.K. Agarwal, Member (Judicial).

Hon'ble Mr. N.P. Nawani, Member (Administrative).

ORDER

(PER HON'BLE MR. S.K. AGARWAL, MEMBER (JUDICIAL))

This Contempt Petition has arisen out of an order passed in OA No. 122/93 on 30.07.97.

2. By order dated 30.07.97, passed in OA 122/93, this Tribunal has directed that:-

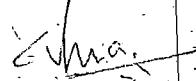
"the respondents shall expedite the process of redetermination of seniority of the officials concerned in accordance with the judgement of the Hon'ble Supreme Court in Virbal Singh Chouhan case and thereafter consider the cases of the applicants for upgradation on the basis of their seniority position. It is expected that the exercise of finalisation of seniority position would be completed within 3 months and thereafter the persons on whose behalf this matter has been agitated here would be considered for promotion by upgradation within a period of one month in accordance with their seniority position if they are entitled to such promotion."

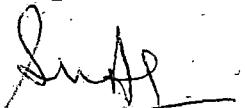
3. It is stated by the Petitioner that Opposite Party has wilfully and deliberately disobeyed the orders passed by this Tribunal and, therefore, he should be punished for contempt.

4. Show-cause was given to the Opposite party, who has filed reply and today an affadavit was filed in support of the compliance, stating that compliance of the order passed by this Tribunal on 30.7.97 has already been made.

5. We have heard the learned counsel for the parties and also perused the whole record.

6. In view of the affadavit filed by the learned counsel for the Opposite party, we do not find any basis to hold that any contempt is made out against the opposite party. Therefore, this Contempt Petition fails and hereby dismissed.

  
(N.P. NAWANI)  
MEMBER (A)

  
(S.K. AGARWAL)  
MEMBER (J)