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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR
CP No.106/1995 (OA No.110/1994)

Date of order: 18.12.1997

Dhani Ram Saroj at present employed on the post of Station
Superintendent, Western Railway, Jhunjhunu.

.. Petitioner

Versus

1. M.Ravindran, General Manager, Western Railway, Churchgate, Bombay.
2. Ramesh Tripathi, Divisional Railway Manager, Jaipur Division, Jaipur.

.. Respondents

Mr. Shiv Kumar, counsel for the petitioner

Mr. K.C.Meena, CLA, departmental representative for the respondents.

CORAM:

Hon'ble Mr. O.P.Sharma, Administrative Member

Hon'ble Mr. Ratan Prakash, Judicial Member

ORDER

Per Hon'ble Mr. O.P.Sharma, Administrative Member

In this Contempt Petition filed under Section 17 of the Administrative Tribunals Act, 1985 by Shri Dhani Ram Saroj, the petitioner has prayed that the respondents may be punished for committing contempt of court for not complying with the directions of the Tribunal contained in its order dated 16.12.1994 passed in OA No. 110/94, Dhani Ram Vs. Union of India & Ors.

2. We have heard the learned counsel for the petitioner and Mr. K.C.Meena, CLA, departmental representative for the respondents.

3. The direction of the Tribunal was that the petitioner should be considered for promotion to the post of Station Superintendent. In the ordersheet dated 6.2.1997, it was noted

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that the petitioner has already been granted promotion to the post of Station Superintendent from 1995. The petitioner has, however, sought promotion from a date in 1993. The respondents have subsequently considered the question whether the petitioner is in fact entitled to promotion w.e.f. a date in 1993. Vide its communication dated 3/8-10-1997, the General Manager, Western Railway has informed the Divisional Railway Manager, Jaipur that in view of the position regarding reservations etc. and the seniority position of the petitioner, he is not entitled to promotion from a date in 1993. A copy of this communication has already been taken on record by us. The learned counsel for the petitioner states that the petitioner has not received any communication with regard to consideration of his case for promotion from a date in 1993 and rejection of his claim thereafter. The departmental representative undertakes to ensure that a copy of the communication regarding consideration of the case of the petitioner is sent to him as expeditiously as possible.

4. Since the case of the petitioner has already been considered for promotion from a date in 1993 for the post of Station Superintendent, we find that no case of contempt of court has been made now. The Contempt Petition has become infructuous. It is dismissed. Notices issued are discharged. If the petitioner is aggrieved by the action of the respondents, he is free to seek remedy in accordance with law.


(Ratan Prakash)

Judicial Member


(O.P. Sharma)

Administrative Member