

DATE OF ORDER: 28.1.2000

CP 23/98 (OA 113/92)

M.L.Gupta s/o Shri G.L.Gupta r/o 7, Railway Society Colony, Kota.

... Petitioner

V/s.

1. Shri V.D.Gupta, General Manager, Western Railway, Churchgate, Mumbai.
2. Shri M.S.Ekhote, Chief Engineer (E), C/o General Manager, Western Railway, Churchgate, Mumbai.
3. Shri L.R.Thapar, Divisional Railway Manager, Western Railway, Kota.

... Respondents

CORAM:

HON'BLE MR.S.K.AGARWAL, JUDICIAL MEMBER
HON'BLE MR.N.P.NAWANI, ADM.MEMBER

For the Petitioner ... Mr.S.P.Mathur

For the Respondents ... Mr.U.D.Sharma

O R D E R

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

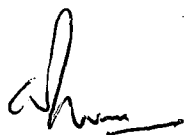
This Contempt Petition has arisen out of an order dated 21.11.97 passed in OA 113/92 M.L.Gupta v. Union of India & Ors.

2. It is stated by the learned counsel for the petitioner in the Contempt Petition that the opposite party has deliberately and willfully disobeyed the directions of this Tribunal. Therefore, prayer has been made to initiate contempt proceedings against the opposite party.

3. Reply to show-cause was filed. In the reply it has been made clear that the respondents had considered the case of the petitioner in accordance with the directions of this Tribunal and have given promotions on officiating basis to the post of IOW Grade-II in the pay scale of Rs.335-485 from 14.2.1969 to 24.2.1970 and thereafter to the post of IOW Grade-I in the pay scale of Rs.450-575 from 25.2.1970 with all consequential benefits including the payment of arrears arising out thereof vide order No.E/E/839/2 Vol.6 (Loose) dated 14.12.99. Copy of the same has annexed as Annexure R-1 with the reply.

4. The learned counsel for the petitioner submits that the arrears have not been paid to the petitioner so far. The learned counsel for the opposite party submits that the payment of arrears will be made to the ~~peti~~ petitioner shortly.

5. In view of the order passed and the submissions made by the opposite party that arrears will be paid to the petitioner shortly, we feel that there is no deliberate or wilful disobedience on the part of the opposite party. We, therefore, dismiss this Contempt Petition and notices issued against the opposite party are hereby discharged.



(N.P. NAWANI)
MEMBER (A)



(S.K. AGARWAL)
MEMBER (J)