

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH,

JAIPUR

Date of order: 18.01.2002

CP No.51/2000 (OA No.475/94)

Umed Singh s/o Shri Munga Ram r/o C/o Sh. Ganga Singh, Ex-Driver, Nangla Dhanni Bai, Near Railway Officers Rest House, Bayana, W. Rly, last employed on the post of Cellman under SEFO, New Delhi.

..Petitioner

Versus

1. Shri Pramod Kumar, Additional Divisional Railway Manager, Western Railway, Kota Division, Kota.
2. Shri R.D.Meena, Senior Divisional Electrical Engineer (P), Western Railway, Kota Division, Kota.

.. Respondents

Mr.C.B.Sharma, counsel for the petitioner

None appeared for the respondents.

CORAM:

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

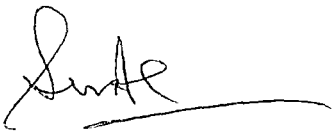
Hon'ble Mr. H.O.Gupta, Member (Administrative)

ORDER

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

This Contempt Petitioner has arisen out of an order passed in OA No. 475/94 on 16.12.99. Vide order dated 16.12.99 this Tribunal gave following directions:-

"We, therefore, quash the order of removal of the applicant from service dated 3.9.93 and order of appellate authority dated 9.11.93 and direct the disciplinary authority to reconsider

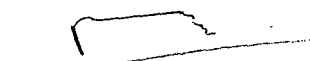


quantum of punishment to be awarded to the applicant for the alleged misconduct in the light of the observations made above. The whole exercise must be completed within 3 months from the date of receipt of a copy of this order".

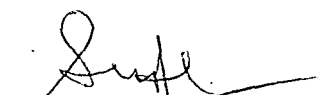
2. It is stated by the petitioner that the opposite party has wilfully and deliberately not obeyed the orders of this Tribunal, therefore, this Contempt Petition has been filed.

3. In the reply, it is stated that the competent authority vide its order dated 19.3.2001 awarded the penalty of compulsory reitirement from service to the applicant in place of removal from service earlier awarded and delay occassioned in passing the order dated 19.3.2001 was neither deliberate nor intentional but was bona-fide. It is also stated that the order dated 16.7.2001 has also been issued in compliance of the order passed by this Tribunal.

4. In view of the order passed by the respondent Department dated 19.3.2001 and 16.7.2001, we are of the opinion that the petitioner has failed to establish any deliberate or wilful disobedience on the part of the respondents. Therefore, this Contempt Petition fails and it is hereby dismissed. Notices issued are discharged.

  
(H.O.Gupta)

Member (Administrative)

  
(S.K.AGARWAL)

Member (Judicial)