

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH,

JAIPUR

Date of order: 02.01.2002

CP No.98/2001 (OA No.239/98)

Sheochand Ram s/o Shri Bhola Ram, resident of C/o  
Rajdhani Medical Store, Opposite B.D.K. Hospital,  
Jhunjhunu.

..Petitioner

Versus

1. Shri Vasudeo Gupta, General Manager, Western  
Railway, Churchgate, Bombay.
2. Shri B.K.Agrawal, Divisional Railway Manager,  
Western Railway, Near Railway Station, Jaipur
3. Shri Anant Swaroop, Divisional Railway Manager  
(Personnel), Western Railway, Near Railway  
Station, Jaipur
4. Shri Kailash Banweer, P.W.I., Fatehpur  
Shekhawati, Railway Station, Fatehpur  
Shekhawati.

.. Respondents

Mr.Rajendra Soni, counsel for the petitioner.

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CORAM:

Hon'ble Mr..Justice O.P.Garg, Vice Chairman

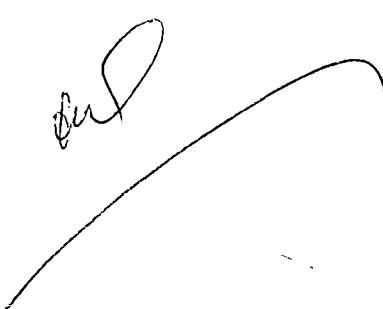
Hon'ble Mr. Gopal Singh, Administrative Member

ORDER

Per Hon'ble Mr. Justice O.P.Garg, Vice Chairman

Heard Shri Rajendra Soni, counsel for the  
petitioner.

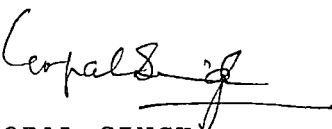
2. This Contempt Petition has been filed for the  
alleged disobedience of the order dated 28.09.2000 passed




in OA No. 239/1998. The operative portion of the order aforesaid runs as under:-

"We, therefore, dispose of this OA with a direction to respondent No.2 to re-consider the case of the applicant sympathetically and explore the possibilities of covering his absence from 7.2.1981 to 25.9.1981 by granting him leave without pay/extraordinary leave on medical grounds in terms of Rule 36 of the Pension Rules and if it is done then re-compute his qualifying service for eligibility for pension. The OA is disposed of accordingly with no order as to costs."

After the said order, the departmental authorities have passed an order dated 10/17th October, 2001, a copy of which is annexed at Ann.CP/3. The respondents have intimated that in spite of calculations pursuant to the order passed by this Tribunal, the petitioner has not completed qualifying service of 20 years in order to enable him the pensionary/retiral benefits. Shri Rajendra Soni, learned counsel for the petitioner states that the order suffers from wrong calculations. Be that it may, we find that the order passed by this Tribunal in OA No. 239/1998 has been complied with and there is no ground to issue notices on the Contempt Petition. The application for contempt is misconceived and it is dismissed. However, if the petitioner is aggrieved of the order dated 11/17.10.2001, he may be at liberty to take recourse to such legal proceedings as may be available to him.

  
(GOPAL SINGH)

Adm. Member

  
(O.P. GARG)

Vice Chairman