

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH,  
CIRCUIT CAMP : INDORE

Contempt Petition No.45 of 2006  
(In OA No.138/2006)

Mahendra Singh R.  
Diesel Assistant, Western Railway,  
Ratlam

Applicant.

(By Advocate - Shri S.L. Vishwakarma)

Versus

1. Shri M.K. Jain  
Divisional Railway Manager,  
Western Railway, Ratlam.
2. Nemichand Shivasia,  
Assistant Personnel Officer,  
DRM Office, Ratlam.

CONTEMNORS

O R D E R (Oral)

By A.K. Gaur, Judicial Member -

By means of this Contempt Petition, the petitioner has alleged that the order of this Tribunal dated 19.4.2006 has been wilfully disobeyed by the respondents. In this regard it is pertinent to mention here that the Tribunal has passed the order on 19.4.2006 in OA No.138/06, the operative portion of the aforesaid order is being reproduced hereunder :-

"3. As the counsel for the applicant submits that he will be satisfied if direction is given to the respondents to dispose of the representation in regard to the seniority of the applicant, this OA is disposed of with a direction to the respondents to consider the case of the applicant in the light of the order dated 19.10.2005 and pass suitable orders and in case the Department re-schedules the seniority of the applicant, needless to mention that the applicant shall be entitled to the consequential benefits namely promotion to the higher grade on the basis of his re-scheduled seniority."

The learned counsel for the petitioner has stated : at the bar that part of the order has been complied with and the part of the order has not been complied with. He has also contended that the seniority of the applicant has been re-scheduled but he has not been given the consequential benefits of promotion to the higher grade. We find that the respondents were directed to consider and dispose of the representation of the applicant which has been complied with. In this view of the matter the the present Contempt Petition is devoid of merit. Accordingly,

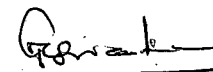
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the same is dismissed. However, the respondents are directed to consider and decide the representation of the applicant Annexure-P-4 to the contempt petition filed by the applicant ~~as~~ preferably within three months from the date of receipt of a copy of this order.

2. With the above observation, the present CCP is dismissed.

  
(A.K. Gaur)  
Judicial Member

  
(Dr. G.C. Srivastava)  
Vice Chairman

पृष्ठान्त सं जो/व्या.....जबलपुर, दि.....  
पलिलिपि अद्योहित:-

- (1) सचिव, उच्च न्यायालय वार एसोसिएशन, जबलपुर
- (2) आवेदक श्री/श्रीमती/कु.....के काउंसल
- (3) प्रत्ययी श्री/श्रीमती/कु.....के काउंसल
- (4) वॉरपान, केप.अ., जबलपुर न्यायापीठ  
सूचना एवं आवश्यक कार्यवाही हेतु

उप रजिस्ट्रार

Shri S. L. Mishra alcerma  
Indar

Issued  
20/7/06