

CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR

CONTEMPT PETITION NO. 25/2005

IN

ORIGINAL APPLICATION NO. 297/1995

Jaipur the 18th December, 2006

CORAM:

**HON'BLE Mr. M.L. CHAUHAN, MEMBER (JUDICIAL)
HON'BLE MR. J.P. SHUKLA, MEMBER (ADMINISTRATIVE)**

R.K. Mahawar son of Shri Nehnu Ram Mahawar aged about 46 years, resident of New Basti, Sogaria, Kota and presently working as TCM Grade I under CTCI (M) West Central Railway, Kota Division, Kota.

By Advocate: Mr. C.B. Sharma

.....Applicant

Versus

1. Shri Mahip Kapoor, General Manager, West Central Zone, West Central Railway, Jabalpur.
2. Shri K.K. Atal, Divisional Railway Manager, West Central Railway, Kota Division, Kota.

By Advocate: Mr. Anupam Agarwal

....Respondent

ORDER (ORAL)

The Petitioner has filed this Contempt Petition against the alleged violation of the order of this Tribunal dated 01.06.2001 passed in OA No. 297/1995.

2 The respondents have filed DB Civil Writ Petition No. 4245/2001 before the Hon'ble High Court against the impugned judgement of this Tribunal. The Hon'ble High Court granted stay vide order dated 12.12.2001 against the impugned judgement. However, subsequently the Writ Petition filed by the respondents was dismissed in default on 16.01.2006. Thereafter, the applicant has filed Contempt Petition in this Tribunal.

3 Notice of this Contempt Petition was given to the respondents. Learned counsel for the respondents has filed reply today. Alongwith the reply, respondents have annexed the copy of the order dated 12.12.2001 whereby the Hon'ble High Court has granted stay against the impugned judgement dated 01.06.2001 and the copy of the order dated 21.11.2006 whereby the order dated 16.01.2006, dismissing the Writ Petition in default, was recalled and the same has been restored to its original number.

4 In view of this subsequent development, we are of the view that it will not be useful to keep this Contempt Petition pending. Accordingly, the same shall stand disposed of. Notices issued to the respondents are hereby discharged. However, it will be open for the petitioner to move an application for restoration of the Contempt Petition or to file fresh Contempt Petition in case the Writ Petition is dismissed or the stay granted by the Hon'ble High Court in the aforesaid case is vacated.


(J.P. SHUKLA)
MEMBER (A)


(M.L. CHAUHAN)
MEMBER (J)

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