

19  
11.09.2009

CP 26/2007 (OA No. 355/2005)

Mr. C.B. Sharma, Counsel for applicant.  
Mr. Mukesh Dhanera, Proxy counsel for  
Mr. T.P. Sharma, Counsel for respondents.

Let the matter be listed on 30.10.2009.

(B.L. KHATRI)  
MEMBER (A)

(M.L. CHAUHAN)  
MEMBER (J)

AHQ

30.10.2009

CP 26/2007 (OA No.355/2005)

Mr. C.B. Sharma, Counsel for applicant.  
Mr. T.P. Sharma, Counsel for respondents.

Heard learned counsel for the parties.

For the reasons dictated separately, the CP is  
disposed of.

(B.L. KHATRI)  
MEMBER(A)

(M.L. CHAUHAN)  
MEMBER (J)

AHQ

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
JAIPUR BENCH

Jaipur, this the 30<sup>th</sup> day of October, 2009

**CONTEMPT PETITION NO. 25/2007**  
**IN**  
**ORIGINAL APPLICATION NO. 355/2005**

**CORAM:**

HON'BLE MR. M.L. CHAUHAN, JUDICIAL MEMBER  
HON'BLE MR. B.L. KHATRI, ADMINISTRATIVE MEMBER

Roop Nath son of Shri Nemi Nath aged about 54 years, resident of Village and post Jahanbad, Tehsil Hindon District Karauli. Last employed on the post of Gangman 112 D at Bharatpur Railway Junction, under Senior Section Engineer (P-way), West Central Railway, Bharatpur.

.....APPLICANT

(By Advocate: Mr. C.B. Sharma)

VERSUS

1. Shri K.K. Atal, Divisional Railway Manager, West Central Railway, Kota Division, Kota.
2. Shri S.K. Katara, Assistant Divisional Engineer, West Central Railway, Bharatpur.

.....RESPONDENTS

(By Advocate : Mr. T.P. Sharma)

**ORDER (ORAL)**

The applicant has filed this Contempt Petition for the alleged violation of the order dated 15.03.2009 passed in OA No. 355/2005, which order has attained finality. Review Petition filed against the aforesaid order has also been dismissed.

2. Notice of this Contempt Petition was given to the respondents.

The respondents have filed their reply. Alongwith the reply, , the respondents have annexed copy of the office order dated 03.07.2009


and 07.07.2009 whereby qualifying service for the purpose of pensionary benefits has been mentioned as 20 years and 11 days/ 20 years 2 months and 21 days.

3. Learned counsel for the applicant submits that pursuant to the said order, the respondents have not granted pensionary benefits to the applicant.

4. Since the order of this Tribunal has been substantially complied with, we are of the view that the present Contempt Petition can be disposed of with the direction to the respondents to take follow up action pursuant to orders dated 07.07.2009 within a period of two months and make necessary payment to the applicant. In case the pensionary benefits is not granted to the applicant within two months, it will be open for the applicant to file substantive OA for the grant of interest, which will be given due consideration.

5. In view of what has been stated above, the present Contempt Petition does not survive, which is disposed of accordingly. Notices issued to the respondents are hereby discharged.

  
(B.L. KHATRI)  
MEMBER (A)

  
(M.L. CHAUHAN)  
MEMBER (J)

AHQ