

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH**

Jaipur, this the 05th Decmber, 2008

**CONTEMPT PETITION NO. 52/2008
IN
ORIGINAL APPLICATION NO. 43/2003**

CORAM:

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

1. Abdul Sattar son of Shri Juman Khan
2. Indar Pal son of Shri Panna Lal
3. Swaroop Chand son of Shri Mangal Chand
4. Devi Lal son of Shri Hanuman Prasad
5. Moti Lal son of Shri Chhotu Ram
6. Kishan Singh son of Shri Moti Lal
7. Jagdish Prasad son of Shri Chhaju Ram
8. Chandan Singh son of Shri Trikha Ram
9. Dillip Kumar son of Shri Vimila Prasad
10. Rajendra Kumar son of Shri Jal Singh
11. Radhey Shyam Mall son of Shri Hari Ram

.....APPLICANTS

(By Advocate: Mr. C.B. Sharma proxy to Mr. Nand Kishore)

VERSUS

1. Shri Ganga Ram Agarwal, Divisional Railway Manager, North Western Railway, Power Houe Road, Jaipur.

.....RESPONDENTS

(By Advocate: Mr. Anupam Agarwal)

ORDER (ORAL)

The applicant has filed this Contempt Petition for the alleged violation of the order dated 12.02.2008 passed in OA No. 43.2003.

2. Notice of this Contempt Petition was issued to the respondents. Respondents have file reply. In the reply, It has been stated that the judgement of this Tribunal has been challenged before the Hon'ble High court by filing DB Civil Writ Petition No. 6330/2008 along with DB

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Civil Writ Petition No. 12621/2008 whereby the Hon'ble High Court vide its order dated 07.11.2008 & 11.11.2008 had stayed the order of this Tribunal dated 12.02.2008. Copy of these order have also been placed on record by the respondents as Annexure R/3. The respondents have also placed copy of order dated 19.11.2008 (Annexure R/4) whereby seniority which was assigned to the applicant pursuant to the judgement rendered by this Tribunal has been kept in abeyance till the disposal of the Writ Petition.

3. In view of what has been stated above, the present Contempt Petition does not survives. Accordingly, the same is disposed of. In case ultimately the stay is vacated by the Hon'ble High court in the aforesaid Writ Petition or Writ Petition filed by the respondents is ultimately dismissed, in that eventuality, it will be open for the applicant to move fresh Contempt Petition.

4. With these observations, the Contempt Petition is disposed of. Notices issued to the respondents are hereby discharged.


(B.L. KHATRI)
MEMBER (A)


(M.L. CHAUHAN)
MEMBER (J)

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