

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH

Jaipur, this the 28th day of July, 2010

CONTEMPT PETITION NO. 23/2010
IN
ORIGINAL APPLICATION NO. 14/2010

CORAM

HON'BLE MR. M.L. CHAUHAN, JUDICIAL MEMBER
HON'BLE MR. K.S. SUGATHAN, ADMINISTRATIVE MEMBER

Habib Khan son of Shri Abdul Gaffar Khan aged about 57 years, working as Driver under Dy. Chief Engineer (Construction), West Central Railway Kota, resident of Railway Quarter No. 919-A, New Railway Colony, Kota (Rajasthan)

.....Applicant

(By Advocate : Mr. Nand Kishore)

VERSUS

Shri Manvendra Singh, Dy. Chief Engineer (Construction), West Central Railway, Kota.

.....Respondent

(By Advocate: -----)

ORDER (ORAL)

The applicant has filed this Contempt Petition for the alleged violation of the order dated 15.01.2010 whereby this Tribunal while declining mandatory relief to the applicant and restraining the respondents from proceeding further pursuant to order dated 19.05.2009 has further directed to maintain status quo as of today.

2. The grievance of the applicant in this case is that although the applicant is being retained as Driver ^{but} vide subsequent order dated 10.05.2010, ^{but} he has been transferred outside under XEN(C) CAG at CAG in the same capacity with immediate effect.

3. We have given due consideration to the submission made by the learned counsel for the applicant. We are of the view that no case for issuance of notice is made ^{out} in the light of the order passed by this Tribunal on 15.01.2010 as the applicant is still working in the capacity of Driver. In case the applicant is aggrieved by his transfer vide order dated 10.05.2010, it will be open for him to file substantive OA.

4. With these observations, the Contempt Petition is dismissed at admission stage.



(K.S. SUGATHAN)
MEMBER (A)



(M.L. CHAUHAN)
MEMBER (J)

AHQ