

**CENTRAL ADMINISTRATIVE TRIBUNAL
AMHEDABAD BENCH**

Contempt Petition No. 43/2017 in OA No. 319/2017
Dated the 11th day of September, 2018

CORAM :

Hon'ble Ms. Archana Nigam, Member (A)
Hon'ble Sh. M.C. Verma, Member (J)

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Sudhaben Nayak Daughter of Late Shri Dinanath Nayak and Smt. Subhadraben Nayan, aged about 63 years, resident of Pipala Valo Kncho, Unchi Sheri, Mehsana – 384 001. **.....Applicant**

(By Advocate Ms. Vilas Purani)

VERSUS

1. Mr. Anil Kumar Gupta, or his successors at Office General Manager, Western Railway, Churchgate, Mumbai – 400 020.

2. Mr. Vinay Babtiwale or his successors at Office Divisional Railway Manager, Western Railway, Rajkot Division, Kothi Compound, Rajkot – 360 001. **....Respondents**

O R D E R (ORAL)

Per M.C.Verma, Member (Judicial)

Reply on behalf of respondents has already been filed wherein, in addition to other grounds, it has been pleaded that Hon'ble High Court in Special Civil Application No. 324 of 2018 has stayed the Order, for alleged violation of which instant contempt proceeding has been initiated.

2. Today, learned counsel Ms. Vilas Purani, who appeared for applicant placed on record zerox copy of Order dated 2/4/2018 passed by Hon'ble High Court in Special Civil Application No. 324/2018 and

submitted that the Order for violation of which this contempt proceedings has been initiated, was challenged by respondents on the file of Hon'ble High Court and Hon'ble High Court has stayed the execution / operation, of Order passed by this Tribunal, till disposal of Special Civil Application No. 324/2018. Learned counsel added that in changed situation this petition for contempt, at present, has become infructuous and she thus wants not to pursue this but wants that same be disposed off with liberty to applicant to file appropriate petition / application, if necessity arises after passing of judgment by Hon'ble High Court in aforesaid Special Civil Application. She requested to dispose off this C.P.

3. In view of above, this Contempt Petition is disposed of, with liberty as has been prayed for. Notice issued to the respondents are discharged.

[M.C.Verma]
Member (J)

[Archana Nigam]
Member (A)

mehta