

Open Court

**Central Administrative Tribunal, Allahabad Bench,
Allahabad**

**CCP No. 330/00136/2017
in O.A. No. 330/00144/2017**

This the 14th day of May, 2018

Hon'ble Dr. Murtaza Ali, Member (J)

Hon'ble Mr. Gokul Chandra Pati, Member (A)

Mitendra Singh aged about 27 years son of Sri Mahaveer Prasad Singh presently working as Trackman in the office of Senior Section Engineer, P.Way, Northern Railway, Moradabad.

Applicant

By Advocate: Sri Sangam Singh proxy counsel for Sri N.P.Singh

Versus

1. Sri A.K. Singhal Divisional Railway Manager, Northern Railway, Moradabad.

Respondent

By Advocate: Sri M.K. Singh

ORDER

By Hon'ble Dr. Murtaza Ali, Member (J)

The applicant has filed this contempt petition for alleged willful disobedience of order dated 28.3.2017 passed by this Tribunal in O.A. No. 330/00144/2017. By the said order, the respondents were directed to pass a reasoned and speaking order for not relieving the applicant and relieving the persons who are having below merit than the applicant.

2. Upon notice, the respondents have filed compliance affidavit on 11.12.2017. It is stated that in compliance of the Tribunal's order dated 28.3.2017, the representation

of the applicant has finally been decided by Senior Divisional Personnel Officer, Northern Railway, Moradabad by a reasoned and speaking order on 30.8.2017 and the applicant has also been communicated and thus it is the contention of the respondents that they have complied with the order passed by this Tribunal.

3. In the objection to the compliance affidavit, it is stated by the applicant that the respondents have adopted pick and choose policy and therefore, the order of this Tribunal has not been complied with.

4. Considering the facts that the respondents have passed a reasoned and speaking order in compliance of the order dated 28.3.2017 passed by this Tribunal, we are of the view that if the applicant is aggrieved by the said order, he can file a separate O.A. but the respondents have substantially complied with the order passed by this Tribunal by passing an order dated 30.8.2017, a copy of which has also been annexed with the affidavit of compliance.

5. In view of the above, contempt proceedings are dropped and notice issued to the respondent is withdrawn.

(Gokul Chandra Pati)
Member (A)

(Dr. Murtaza Ali)
Member (J)

HLS/-

