

ORAL

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD
BENCH, ALLAHABAD

(This the 9th Day of August, 2018)

Hon'ble Mr. Justice Bharat Bhushan, Member (Judicial)
Hon'ble Mr. Mohd. Jamshed, Member (Administrative)

Contempt Petition No.330/90/2017

(Arising of Original application No.330/1596/2009)

Sudhir Kumar aged about 48 years, S/o Shri Nar Singh Tripathi. Presently posted as Inter Trainee J.E. II/SMD Supervisors Training Centre North Eastern Railway, Gorakhpur R/ Vill. Bistauli Buzurg, P.O. Belipar District, Gorakhpur.

..... **Applicant**

By Advocate: Shri P.K. Mishra proxy to Shri S.K. Om

Versus

1. Staya Prakash Trivedi. Presently working as General Manager, N.E. Railway, Gorakhpur.
2. Alok Singh, Division Railway Manager, N.E. Railway, D.R.M. Office, Hazaratganj, Ashok Marg, Lucknow.
3. D.K.S. Chauhan, Senior Divisional Personnel Manager, N.E. Railway, D.R.M. Office, Hazaratganj, Ashok Marg, Lucknow.

..... **Respondents**

By Advocate: Shri L.M. Singh

O R D E R

Delivered by Hon'ble Mr. Justice Bharat Bhushan, Member (Judicial)

Shri P.K. Mishra proxy to Shri S.K. Om, Advocate is present for the applicant. Shri L.M. Singh, Advocate is present for the respondents.

2. Present Contempt Petition has been filed by the applicant for non compliance of the order dated 20.05.2011 passed by this Tribunal in O.A. No.1596 of 2009 by which respondents were directed to "consider the name of the applicant for promotion to the post of J.E. Grade II against the vacancy notified by the impugned notification."

3. Counsel for the respondents has filed affidavit of compliance on 15.11.2017 wherein it is stated that in compliance of the order of this Tribunal respondents have issued notification dated 08.11.2017, which reads as under:-

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foHkxh; p; u ds iji{; efnukd & 20-03-10 dks 1 Ei Ukk fyf[kr ijhkk] fnukd
& 25-03-10 dks 1 Ei Ukk vujfLkr fyf[kr ijhkk o fnukd & 08-04-10 dks 1 Ei Ukk
I ehkk cBd ds vkkj ij dy 07 fffDr 104 1 kekU;] 02 vtl 01 vttkk eis 01
1 kekU; tkfr fffDr dks jkdr gq dy 06 fffDr ds fo:) ukfedk i dkk"kr
dh x; h Fkh vc , d 1 kekU; dksV dh fffDr ekuuh; U; k; y; ds funkk ij jks
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ekuuh; dS bylgkckn }j;j ikfjr vuffre vknk 20-12-09 , oae kuuuh; dS ds
vuffre vknk fnukd & 20-05-2011 ds vujkyu eis 1 el {; d vf/kl puk fnukd
& 20-04-2010 tks v0e0j0i0 egkn; }j;j fn0 & 19-04-2010 dks vupfnr gseis
1 kekU; oxz ds 03 dplfj; k ds uhtps jkdr x; h fffDr ds fo:) Jh 1 kbjj dplj
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4. From the perusal of the said notification, it is apparent that respondents have considered the name of the applicant and he has been promoted in the panel dated 20.04.2010. However, counsel for the applicant raised certain objections by saying that respondents have implemented the order in the year 2017 while the Original Application was decided in the year 2011.

5. Counsel for the respondents has stated that name of the applicant was considered for the vacancy occurred in the year 2010.

6. In view of the submissions made by counsel for the parties, we are of the opinion that respondents have complied with the order of this Tribunal in letter and spirit. Accordingly, the Contempt Petition is dismissed. Notices stand discharged.

(Mohd. Jamshed)
Member (A)

(Justice Bharat Bhushan)
Member (J)

Sushil