

**ORAL**

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD  
BENCH, ALLAHABAD

(This the 9<sup>th</sup> 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**

**ORDER**

**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:-

"i dkrj jys  
vf/kl puk

bl dk; k; dh vf/kl puk l d&b@AA@254@; k@l ekfM@xk0i0@2006  
fn0 20-04-10 jkjk ; kf=d l ekfM folhxx es t@bath0&AA xM i&4200 25 ifr"kr  
folhxxh; p; u ds iji; eafnukd & 20-03-10 dks l EiUuk fyf[kr ijh{kk} fnukd  
& 25-03-10 dks l EiUuk vuqfLFkr fyf[kr ijh{kk} o fnukd & 08-04-10 dks l EiUu  
l eh{kk} cBd ds vk/kkj ij d; 07 fjDr 104 l kell; ] 02 vtj 01 vttkz eal s  
01 l kell; tkr fjDr dks jkdrs gq d; 06 fjDr ds fo: ) ukfedk i dlf"kr  
dh x; h Fkh vc , d l kell; dksV dh fjDr ekuuh; U; k; y; ds funz k ij jkds  
tkus ds QyLo: i vk0,0 l a 1596@2009 l dhj d; k; cuke Hkkjr l k o vll;  
ekuuh; d; bykgkcn jkjk ikfjr vuflre vkns k 20-12-09 , o ekuuh; d; ds  
vuflre vkns k fnukd & 20-05-2011 ds vuqkyu eal el d; d vf/kl puk fnukd  
& 20-04-2010 tks v0e0j0i0 egkn; jkjk fn0 & 19-04-2010 dks vuqfkr gS eal  
l kell; oxZ ds 03 deplfj; k ds uhps jkdh x; h fjDr ds fo: ) Jh l dhj d; k;  
ofj'B rd0 l ekfM xkj[kij dk uke d0 l 0 & 03 ij Jh jkeg'kZ ds uhps d; k;  
& 04 ij l fefyr fd; k tkrk g

bl ukfedk ij e0j0i0 egkn; k dk fnukd & 13-10-2017 dks vuqfkr  
ikr g

l gk; d dkfed vf/kl  
y[kuA  
fnukd & 08-11-2017"

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