

**Central Administrative Tribunal
Principal Bench, New Delhi.**

**CP-117/2016 in
OA-2255/2015**

New Delhi this the 23rd day of August, 2016.

Hon'ble Mr. Shekhar Agarwal, Member (A)
Hon'ble Dr. Brahm Avtar Agrawal, Member (J)

1. Sh. V.K. Singh, Retired XEN,
Aged about 68 years,
S/o late Sh. Madan Pal Singh,
R/o F-65, Ground Floor,
Executive Residency,
Sushant Lok-2, Sec-57,
Gurgaon.
2. Sh. Man Mohan Singh, Retd. XEN,
Aged about 65 years,
S/o Sh. Teja Singh,
R/o H.No. 5319, Sec-39 West,
Chandigarh. Petitioners

(through Sh. M.K. Bhardwaj, Advocate)

Versus

1. Sh. A.K. Puthia,
General Manager,
Northern Railway,
Baroda House,
New Delhi.
2. Sh. R.K. Verma,
Secretary,
Railway Board, Rail Bhawan,
New Delhi-110001.
3. Sh. Angarat Mohan,
Chief Personnel Officer,
Northern Railway,
Baroda House,
New Delhi. Respondents

(through Sh. R.N. Singh, Advocate)

ORDER (Oral)

Mr. Shekhar Agarwal, Member (A)

This Contempt Petition has been filed for alleged non-compliance of our order dated 27.07.2015, which reads as follows:-

“We have heard learned counsel for the parties extensively.

In view of the submissions made by learned counsel for the applicants, we are of the considered view that the interim relief sought by applicants regarding the stay of the examination cannot be accepted at this stage.

However, in the interest of justice, we give option to the applicants who are in service to write the examination, if they so desire, subject to outcome of this OA. As regards the retired employees are concerned, they need not write the examination. In any case, the respondents shall not pass any adverse orders until further orders of this Tribunal.

In view of the urgency in the matter, let the respondents file their reply within a week's time.

Applicants' counsel submitted that he is not interested to file any rejoinder in the matter.

List this case under 'Ready for Hearing Matters' on 15.7.2015.

Order DASTI.”

2. During the course of arguments, learned counsel for the petitioners stated that many retired persons had been allowed to appear for the aforesaid examination by the respondents contrary to the directions given by this Tribunal. However, on going through our order, we find that as far as the retired employees were concerned, we had directed that they need not write the

examination and that the respondents shall not pass any adverse orders against them on account of their not writing the examination. This did not preclude them from writing the examination if they themselves so desired. Thus, by permitting them to write the exam, the respondents have not acted against the order. There is no evidence to show that any retired person has been forced to write the examination. As such, no Contempt of Court has been committed by the respondents.

3. Accordingly, we close this Contempt Petition and discharge the notices issued to the alleged contemnors.

4. List the O.A. for hearing on 01.09.2016.

(Dr. Brahm Avtar Agrawal)
Member (J)

(Shekhar Agarwal)
Member (A)

/Vinita/