

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

**CP-628/2014
In OA -2483/2013
MA-2268/2014**

New Delhi this the 18th day of May, 2016.

**Hon'ble Sh. Shekhar Agarwal, Member (A)
Hon'ble Sh. Brahm Avtar Agrawal, Member (J)**

1. Shri Pal Singh,
S/o Shri Multan Singh,
Loco Pilot (Goods,)
Railway Station Ambala Delhi Division
Under SSE (LI) Ambala

2. Shri Surinder Pal,
S/o Shri Balwant Singh,
Under SSE Saharanpur.

3. Shri Daleep Kumar
S/o Shri Ganesh Dass Makkhar,
Loco Plot (Goods)
Under SSE (L)
Ambala.

... Petitioners

(Present None)

Versus

1. SHRI PRADEEP KUMAR,
General Manager,
Northern Railway,
Baroda House,
New Delhi.

2. SHRI ANIL KUMAR KATHPAL,
Divisional Railway Manager,
Northern Railway,
Ambala Cantt.

... Respondents

(By Advocate: Sh. Shailendra Tiwary and Sh. V.S.R. Krishna)

ORDER (ORAL)

Mr. Shekhar Agarwal, Member (A)

This contempt petition has been filed for alleged disobedience of order dated 22.04.2014 passed in OA No. 2483/2013, the operative part of which reads as follows:

"21. In view of the above facts and law laid down by the Apex Court and followed by different High Courts and Benches of this Tribunal all these Original Applications are allowed. Consequently,

(i) the impugned order dated 30.12.2011 in OA No. 755/2012 is quashed and set aside. We also direct the Respondents to fill up the vacancies of Passenger Guards strictly in accordance with the seniority subject to the rejection of unfit without allowing reservation.

(ii) the impugned panel dated 28.12.2010 in OA No. 2058/2012 is quashed and set aside to the extent that the Applicants names have not been included therein. We also quash and set aside the order dated 25.04.2012 rejecting the claims of the Applicants for interpolation in the aforesaid panel dated 28.12.2010. We further direct the Respondents to fill up the vacancies of Loco Pilots Goods strictly in accordance with the seniority subject to the rejection of unfit without allowing the reservation.

(iii) the impugned order dated 16.10.2012 in OA No. 3603/2012 is quashed and set aside to the extent that the vacancies of Mail Train Loco Pilots have been filled by promoting junior staff belonging to SC/ST category in violation of the law laid down by the Supreme Court. We also direct the respondents to fill up the vacancies of Mail Train Loco Pilots strictly in accordance with the seniority subject to the rejection of unfit without allowing any reservation.

(iv) the impugned order dated 09.07.2013 in OA No. 2483/2013 is quashed and set aside to the extent that the vacancies of Loco Pilot Passengers have been filled up by reservation as in (OA No.3603/2012).

22. The aforesaid directions shall be complied with, within a period of 2 months from the date of receipt of a copy of this order.

23. There shall be no order as to costs."

2. The respondents have filed their compliance affidavit on 18.11.2015 along with which they have attached a copy of their

order dated 17.11.2015 by which reserved category candidates who were promoted on the basis of reservation have been reverted and in their place promotions have been made on the basis of seniority.

3. Several opportunities were given to the petitioner to file response to the compliance affidavit, if any. However, she has failed to do so. Even today, there is no appearance on behalf of the petitioners.

4. On perusal of the order dated 17.11.2015 passed by the respondents, we are satisfied that order of this Tribunal has been fully complied with. Accordingly, this CP is closed. Notices issued to the contemnors are discharged.

(Brahm Avtar Agrawal)
Member (J)

(Shekhar Agarwal)
Member (A)

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