

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

C.P. No.408/2011 In
O.A. No.726/2004

New Delhi this the 5th day of April, 2017

HON'BLE MR. P.K. BASU, MEMBER (A)
HON'BLE DR. BRAHM AVTAR AGRAWAL, MEMBER (J)

Khalid Akhtar
Aged about 52 years
S/o Shri Ahmad Khan
Now working as Assistant Executive Engineer,
Indian Railway Project Management Unit,
North Central Railway at Aligarh U.P.,
Resident of 4/581, Firdaus Complex,
Hamdard Nagar-A, Anup Shahr Road,
Aligarh U.P.-202002.Petitioner

(By Advocate : Mr. Somnath Bhattacharya for Mr. H. P. Chakravorty)

Versus

1. Mr. S.K. Budlakoti,
General Manager, Northern Railway,
Baroda House,
New Delhi.
2. Mr. S.C. Joshi,
General Manager,
North Central Railway,
Subedar Ganj, Allahabad, U.P. Respondents

(By Advocate : Mr. R. N. Singh with Mr. Amit Sinha, Mr. V.S.R. Krishna and Mr. D. S. Mahendru)

ORDER (O R A L)

Mr. P.K. Basu, Member (A)

The order of the Hon'ble High Court in WP (C) No.11019-
20/2005 dated 05.08.2010 was as follows :-

- “11. The only clarification which we need to issue is that persons who had failed the test on an earlier occasion but were eligible to take test pertaining to the year when vacancy arose would be permitted to participate in this selection process, would be permitted to participate in the selection process.”
2. During the hearing before us on 01.10.2015, it was noted as follows :-

“The order of this Tribunal dated 31.01.2005 passed in the aforesaid OA having been affirmed by the Hon’ble High Court as well as by the Hon’ble Supreme Court, respondent, Railways, in the absence of any embargo put up this Tribunal vide order dated 07.07.2015 passed in O.A No. 2255/2015, is duty bound to conduct the examination scheduled for 10.10.2015.

In view of the above, let this proceeding to be listed again on 13.10.2015. The respondent railway administration shall apprise this Tribunal about the conduct of the said test scheduled on 10.10.2015.”

3. In their compliance affidavit the respondents have stated that examination was conducted on 10.10.2015 where only two candidates had appeared. However, they failed to qualify. Thereafter, a subsequent examination was held on 12.03.2016 in which one candidate appeared. However he too failed to make the grades.

4. We see that there is substantial compliance of the order of this Tribunal as well as Hon’ble High Court.

5. In view of this, the Contempt Petition is closed. Notices issued to the alleged contemnors are discharged.

(Dr. Brahm Avtar Agrawal)
Member (J)

(P.K. BASU)
Member (A)

/Mbt/