

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

**CP No. 765/2015
OA No. 2581/2015**

New Delhi, this the 29th day of April, 2016

Hon'ble Justice M.S. Sullar, Member (J)
Hon'ble Mr. K.N. Shrivastava, Member (A)

1. Ram Saroop (Aged about 59 years)
S/o Sh. Shali Ram
Working as Sr. Clerk
Under Dy. CE/C Tilak Bridge,
New Delhi
R/o H.No. 18-C, DDA Flats, Ahsok Vihar,
Phase-I, Delhi-52
2. Prem Chand (Aged about years)
S/o Sh. Hans Raj
Working as Storeman
Under Dy CE/C Tilak Bridge,
New Delhi
R/o H.No. 108/D3, Railway Colony,
Tughlakabad, Delhi
3. Nikko Ram (Aged about 56 years)
S/o Sh. Kirpa Ram
Working as Sr. Helper,
Under Dy CE/C Tilak Bridge,
New Delhi
R/o Block NO. 108,
Q.No. 2-B Railway Colony,
Tughlakabad New Delhi
4. Narender Kumar (Aged about 55 years)
S/o Sh. Mastan Chand
Working as Senior Khalasi
Under Dy. CE/C Tilak Bridge,
New Delhi
R/o H.No. 195/5, Prem Nagar
Gaushala Road, Ghaziabad.

5. Smt. Neelam Arora (Aged about 57 years)
W/o Sh. Trilochan Singh
Working as Helper
Under Dy CE/C Tilak Bridge,
New Delhi
R/o C-3/225, Sector-31, NoidaPetitioners

(By Advocate: Mr. P.S. Khare)

VERSUS

1. Sh. A.K. Purthia
General Manager
Northern Railway,
Baroda House, New Delhi
2. Sh. B.D. Garg
Chief Administrative Officer/Construction
Northern Railway, Kashmere Gate, Delhi
..... Respondents

(By Advocate: Mr. Satpal Singh)

ORDER (ORAL)

Hon'ble Justice M.S. Sullar, Member (J):

As is evident from the records that Original Application (OA) bearing No. 2581/2015 filed by the applicants was disposed of with the directions to the respondents to consider their case for the purpose of granting them the benefit under MACP under Pensionary Rules vide order dated 20.07.2015 by co-ordinate Bench this Tribunal.

2. According to the applicants, the respondents have not complied with the directions and they have filed the instant CP to initiate proceedings of contempt against them.

3. In the wake of notice, learned counsel for the respondents appeared and placed on record a copy of order dated 15.03.2016

passed in WP(C) Nos. 2159/2016 and 2162/2016 by the Hon'ble Delhi High Court. The order reads as under:-

“Learned counsel for the petitioner seeks permission to withdraw the present writ petition with liberty to file a review application as it is stated that the impugned order was passed without notice to the petitioner.

The petition is dismissed as withdrawn, with liberty as prayed. We also grant liberty to the petitioner to file a fresh writ petition impugning the order under challenge, if the petitioner is aggrieved by the order filed in their review application.”

4. Meaning thereby, once the Hon'ble Delhi High Court has granted liberty to the petitioners to file a review application to review the order of which non-compliance is alleged, so the present CP is not maintainable at this stage.

5. In the light of aforesaid reasons, the present CP is hereby disposed of at this stage.

(K.N. Shrivastava)
Member (A)

(Justice M.S. Sullar)
Member (J)

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