

CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH, CUTTACK

**C.P. No. 12 OF 2017**  
**Cuttack, this the 25<sup>th</sup> day of May, 2018**

CORAM  
**HON'BLE MR. S. K. PATTNAIK, MEMBER(J)**  
**HON'BLE DR. M. SARANGI, MEMBER (A)**

.....

Ramesh Chandra Subudhi, aged about 63 years, S/o-Late Brundaban Subudhi, Residing at Plot No. 311/2259, Lumini Bihar Road, Niladri Vihar, PO-Sailashree Bihar, Bhubaneswar, District-Khurda, at present Retired Station Superintendent, East Coast Railway, Khurda Road Division, Jatni, Khurda.

...Applicant

(By the Advocate- Mr.P. K. Chand)

-VERSUS-

**Union of India Represented through**

1. Sri Braj Mohan Agarwal, Divisional Railway Manager, East Cost Railway, Khurda Road Division, Jatni, Khurda.
2. L.V.S.S. Patrudu, Sr. Divisional Personnel Officer, East Cost Railway, Khurda Road Division, Jatni, Khurda.

...Respondents

(By the Advocate- Mr. S. K. Ojha)

**ORDER**

**S. K. PATTNAIK, MEMBER (J):**

The Petitioner has initiated the contempt proceeding due to non-compliance of the order of this Tribunal dated 06.12.2016 passed in O.A. No.861/2016.

2. On perusal of the said order passed in the O.A., it is seen that this Tribunal had directed to the Divisional Railway Manager, East Coast Railways and the Sr. Divisional Personnel Officer, East Coast Railways (Respondent Nos.2 & 3) to consider and dispose of the appeals/representations, if pending at their level, in the light of the extant rules and instructions and pass appropriate orders within a period of sixty days from the date of receipt of the order.

3. The Ld. Counsel for the Petitioner has enclosed a copy of the speaking order dated 06.01.2017 by which the Sr. Divisional Personnel Officer, Khurda Road has disposed of the representation indicating therein that drawal of HRA in his favour has been stopped as per orders of DRM/KUR and DOM(G)/KUR.

4. Ld. Counsel for the alleged contemnors drawing our attention to the show cause submitted that once order has been passed by the authorities on the basis of the direction issued by this Tribunal in O.A. No.861.16, there arises a fresh cause of action in view of the decision of the Hon'ble Supreme Court in J.S. Parihar Vrs. Ganpat Duggar and Others (1996) 6 SCC 291.

5. On the perusal of the speaking order dated 06.01.2017 we find that the same has been passed in response to the categorical direction of this Tribunal in O.A. No.851/16. In our considered view, there has been substantial compliance of the orders of this Tribunal and hence no contempt is made out and accordingly the C.P. is dropped and notices discharged.

(M. SARANGI)  
MEMBER (A)

(S.K.PATTNAIK)  
MEMBER (J)

K.B.