

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

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No.CPC.350/00117/2015
(O.A.350/00639/2014)

Date of order : 24.08.2016

Present : Hon'ble Justice Mr. Vishnu Chandra Gupta, Judicial Member
Hon'ble Ms. Jaya Das Gupta, Administrative Member

SIMON KUJUR

VS.

Union of India & Ors. [M. SAHOO
Sr. Divisional Commercial Manager
Kharagpur, South Eastern Railway]

For the applicant : Mr.A. Chakraborty, counsel
For the respondents : Ms. G. Roy, counsel

O R D E R

Per Justice V.C. Gupta, J.M.

1. Heard ld. counsel for the applicant and the respondents.

2. The respondents' counsel has placed on record a letter issued to her by the Sr. Divisional Commercial Manager/KGP dated 19.07.2016 intimating as under:-

"Sri Simon Kujur, ex. CS/Goods under Sr. DCM/KGP has filed the subject Contempt Petition before the Hon'ble CAT/Cal. In the matter of "An application under Section -17 of the Contempt Act - 1971 for violation of the order dtd. 01.05.2015 passed by the Hon'ble Mr. U. Sarathchandran, Judicial Member and Hon'ble Ms. Jaya Das Gupta, Administrative Member in O.A.No.350/00639/2014(Simon Kujur vs. Union of India & Ors.) wherein it is ordered that DCRG amount which is held back, should be sanctioned by the respondent authorities within two months after receiving the order.

In connection with, the subject this is for kind information that "the Railway Administration has filed an appeal before the Hon'ble High Court vide WPCT No.157 of 2015 against the order passed by Ld. CAT/Cal. in O.A.No.350/00639/2014 order dtd.01.05.2015.

After hearing both parties, the Hon'ble High Court/Calcutta has been disposed of the WPCT No.157 of 2015 vide its order dtd.20.04.2016 copy enclosed for kind information

(S. W.F.)

In obedience to Hon'ble CAT/Cal's order dtd. 01.05.2015 and Hon'ble High Court/Cal. order dtd. 20.04.2016, necessary clearance certificate has been issued vide this office letter dtd. 01.06.2016 for payment of DCRG of the petitioner, Sri Simon Kujur and DCRG payment has been made of Rs.6,95,646/- vide CO-7 No.70019 dtd. 01.07.2016.

Now, the Joint Registrar, Ld. CAT/Cal. has issued a notice dtd. 07/06/2016 addressed to Sri Murlidhar Sahoo, the then Sr. DCM/KGP that "Respondent/Contemnor is hereby required to appear in person or through a duly authorized advocate on 27.07.2016 at 10:30 am and show cause as to why such action as deem fit under contempt of Court Act 1971 should not be taken against the respondent.

In view of the above, you are hereby engaged in the subject case to defend the matter on behalf of Railway Respondent to safeguard the interest of the Railway. Copy of Contempt Petition (Civil) No.350/00117/2015. Brief History of the case and a duly executed vakalatnama is enclosed herewith for your information and taking further necessary legal steps to dispose to CPC."

3. A perusal of the above letter reveals that the order passed by this Tribunal on 01.05.2015 with regard to payment of post retirement dues has been complied with by making payment of Rs.6,95,646/- to the applicant vide CO-7 No.70019 dated 01.07.2016. Correctness of this letter has not been disputed by the counsel for the applicant.
4. In view of the above, the contempt proceeding is dropped. Notices, if any issued, stand discharged.

(J. Das Gupta)
Administrative Member

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(Justice V.C. Gupta)
Judicial Member