



CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH
KOLKATA

No. CPC.350/00270/2015
(OA. 350/01094/2015)

Date of Order: 02.06.2016

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

MIRANUR RAHAMAN AKHAN & ORS.
VS.
R.K. GUPTA & ANR. (E. RLY.)

For the Applicant : Mr. AK Bairagi, Counsel

For the Respondents : Mr. SK Das, Counsel

Order (Oral)

Justice Shri Vishnu Chandra Gupta, Judicial Member :

Heard both.

2. Supplementary affidavit has been filed where out of 8 applicants 3 applicants could not be provided appointment, namely, Tumpa Ghosh, Akhil Ahmed Mondal and Md. Sofiuddin Ahmed on the ground that the competent authority did not consider their cases for appointment in Railways as they have not fulfilled the criteria in enumerated in the Railway Board letter No. E(NG)II/ 2010/RC-5/1 dated 16.07.2010 and RBE No. 99/2010. Rest 5 applicants were granted appointment.

3. The perusal of the order sought to be complied with reveals that the respondents (Railway Authorities) were directed to consider the case of the applicants for appointment under the said scheme within a period of 2 months from the date of receipt of a copy of the order and communicate the decision in reasoned order to the applicants.

4. According to the applicants the order has not been complied with and no reason has been assigned. On the contrary, the learned counsel for contemnor stated that reason has been assigned that they have not been fulfilled the criteria under the scheme. The order of not giving appointment has been communicated to those petitioners who were not getting the appointment.

5. Therefore, we are of the opinion that the order was substantially complied with. In view of such, contempt proceeding may be dropped. However, the applicants who could not get appointment may challenge the order by appropriate applications in appropriate forum, if so advised.

6. With this observation the contempt proceedings are dropped.

(Jaya Das Gupta)
Administrative Member

(Vishnu Chandra Gupta)
Judicial Member

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