

**CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH, AHMEDABAD.**

C.P. No.10/2019 in OA No.431/2018

This the 01st day of April, 2019

Shri Jagdishchandra
Son of Shri Swarnchand Birdi
Age 62 years,
Redt. Sr. DCM of the Respondents
Residing at : “Sankamal”
Rail Nagar-2, Street No.3 B/h. Popat Para
Rajkot 360 001. Applicant

(By Advocate : Shri M.S.Trivedi)

VERSUS

1. Shri Ranjenesh Sahay or his successor,
The Secretary
Ministry of Railways
Railway Board, Rail Bhavan
New Delhi 110 001.
2. Shri Anil Kumar Gupta or his successor
Western Railway
Churchgate, Mumbai 400 020.
3. Shri P.B. Ninave or his successor
The Divisional Railway Manager
O/o. DRM, Western Railway
Divisional Office, RJT Division

Kothi Compound,
Rajkot 360 105. Respondents.

(By Advocate : Shri M.J.Patel)

O R D E R – ORAL

Per : Hon'ble Shri M.C.Verma, Member (J)

This C.P. has been preferred by the applicant of O.A. No. 431/ 2018. The grievance of the applicant in said OA was regarding non-extending of benefits of regular grade of JAG and non grant of promotion to selection grade from the date his junior was promoted. The O.A. was disposed of at notice stage itself, vide Order dated 26.09.2018 and relevant portion of the said Order reads :

“4. Before parting it is worth to note that during argument it also has been urged that one elaborate and comprehensive representation, dated 25.3.2018 has been given by the applicant and no order has been passed thereon. Any how, having seen the whole entirety of the matter and the fact that applicant has given another representation dated 25.3.2018, which is stated to be under consideration till yet, we direct the respondent

department to dispose off the same at the earliest as possible but not later than three months from date of receipt of copy of this Order.”

2. Learned counsel Shri M.S.Trivedi representing the applicant submits that there was specific direction to decide the applicant's representation, dated 25.03.2018 at the earliest as possible but not later than three months from date of receipt of order passed in OA No. 431/2018 and that three months have already passed but no decision on representation was taken and hence, is this Contempt Petition.

3. Learned counsel Mr. M.J.Patel, who have appeared for Respondent Department in many other cases, intervened at this stage and submits that there can be no intent to violate the Order and that the Order would be implemented in latter and spirit. He assured that he will take up the matter with Respondent Authority, would ascertain why the representation of applicant could not be decided yet. He assured that if representation has

not been decided yet, it will be disposed off at the earliest possible within one or two months.

4. Learned counsel for applicant, at this stage, added that in view of submissions made at Bar by learned counsel Shri M.J.Patel, Advocate he does not want to press the Contempt Petition at this juncture, it may be disposed off with liberty to the applicant to get it revived if respondents after this assurance of Shri M.J.Patel also failed to take decision on the representation within reasonable time.

5. In view of said submission made at Bar, the C.P. stands disposed off.

(M.C.Verma)
Member (J)

nk