

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

**C.P. No.63/2019 In
O.A. No.4061/2018**

Reserved On: 04.02.2019

Pronounced On: 13.02.2019

Hon'ble Sh. V. Ajay Kumar, Member (J)

Hon'ble Ms. Aradhana Johri, Member (A)

Rita Kapoor

W/o Late Pradeep Kapoor

R/o House No.904,

Dr. Mukherjee Nagar,

Delhi-110009

Aged Around 54 Years.

.....Petitioner

(By Advocate: Mr. Nimish Chib)

Versus

1. E. Tirkey,
DPO,
Delhi Division,
Northern Railways,
NDRC Building,
State Entry Road,
Delhi-110055.

2. Devinder Kuma/Jasmine
Sr. DPO,
Delhi Division,
Northern Railways,
NDRC Building,
State Entry Road,
Delhi.

..... Respondents

ORDER

By Mr. V. Ajay Kumar, Member (J) :-

The applicant in OA No.4061/2018 filed the instant C.P. contending that the respondents have violated the interim order

dated 25.10.2018 passed in the said OA, which is still pending on the file of this Tribunal.

2. This Tribunal on 25.10.2018, after recording the submissions made by the applicant, while issuing notices in the OA to the respondents, as an interim measure, passed the following order:-

“5. Any promotion to the post of Superintendent Telephone Operator is subject to the result of the O.A”.

3. The petitioner submits that the respondents in the OA in spite of the above referred interim order are proceeding to effect the promotions and accordingly issued proceedings on 08.01.2019 for circulation of the provisional seniority list of Trunk Cadre working in S&T Department of DLI Division and called for objections thereon and hence, they are liable for punishment of contempt of the interim order dated 25.10.2018 in OA No.4061/2018.

4. Heard Shri Nimish Chib, the learned counsel for the petitioner and perused the pleadings on record.

5. A bare perusal of the interim order dated 25.10.2018 clearly indicates that this Tribunal has not passed any direction to the respondents to act in any particular manner. It merely observed that any promotion to the post of Superintendent Telephone Operator, if made, during the pendency of the OA, is subject to the result of the OA. Hence, the contention of the petitioner is unsustainable and unacceptable.

6. In the circumstances, the CP is dismissed as devoid of any merit with cost of Rs.5000/- (Rupees Five Thousand Only) payable to the Delhi State Legal Services Authority within 4 weeks from the date of receipt of a copy of this order.

(Aradhana Johri)
Member(A)

(V. Ajay Kumar)
Member(J)

RKS