

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI

(3)

CP No.250/2004 IN  
OA No.1905/2003

New Delhi this the 21st September, 2004

**HON'BLE SHRI JUSTICE M.A.KHAN, VICE-CHAIRMAN(J)  
HON'BLE SHRI S.A.SINGH, MEMBER(A)**

1. Shri Ram Dayal  
S/o Shri Mangre, Gangman  
Office of P.W.I-II,  
Northern Railway,  
Ghaziabad.
2. Shri Ram Kishore  
S/o Shri Chottu, Gangman  
Office of P.W.I-II,  
Northern Railway,  
Ghaziabad.
3. Shri Shyam Lal  
S/o Shri Samodhi Gangman  
Office of P.W.I-II,  
Northern Railway,  
Ghaziabad.
4. Shri Mehar Dass  
S/o Shri Bedi Ram, Gangman  
Office of P.W.I-II,  
Northern Railway,  
Ghaziabad.
5. Shri Ram Lal,  
S/o Shri Ram Prasad,  
Office of P.W.I-II,  
Northern Railway,  
Ghaziabad.
6. Shri Jagjit,  
S/o Shri Pati Ram, Gangman  
Office of P.W.I-II,  
Northern Railway,  
Ghaziabad.

...Applicants

(By advocate: Shri P.S.Mahendru)

Versus

1. Shri R.R.Jaruhara  
General Manager,  
Northern Railway,  
Baroda House, New Delhi.
2. Shri P.K.Goel,  
Divisional Railway Manager,  
Northern Railway,

*M. A. Khan*

(2)

State Entry Road,  
New Delhi.  
(By Advocate: Shri A.K.Shukla)

...Respondents

ORDER(ORAL)

By Mr.Justice M.A.Khan

OA 1905/2003 was disposed of by this Tribunal with the following direction:

The ends of justice would be met if the present OA by directing the respondents to treat the present OA as a representation of the applicants and decide the issue in the light of decision (supra) by passing a detailed and speaking order within a period of two months from the date of receipt of a copy of this order.”

2. Counsel for respondents has stated he is filing counter affidavit on behalf of the respondents during the course of the day. The Registry shall place it on the file. He has supplied a copy thereof to the counsel for the applicants and also shown us a copy of the same. It is stated that the part payment of the amount of arrears due to the applicants consequent upon the fixation of their pay has already been made. The amount so paid to the applicants has been mentioned in para-2 of the office order. The detail of the statement of fixation of pay has also been mentioned in the counter reply and annexue to the counter affidavit (annexure CA/1).

3. Counsel for the applicants has stated that the arrears have still not been paid on the basis of salary fixed in office order and no payment other than what has been mentioned in para 2 of the office order has been made. He further submits that the arrears have not been paid within the timeframe which should be paid to these applicants immediately.

4. On instruction, respondents' counsel stated at the Bar that the arrears of the pay and other emoluments shall be calculated in accordance with pay fixation order of these applicants which has been annexed with the counter affidavit AP Annexure-1 from pages 5 to 10 and the payment of arrears shall be made by the respondents to each of the applicants on or before 5.11.2004.

5. Having regard to the facts and circumstances of the case, we do not find it a fit

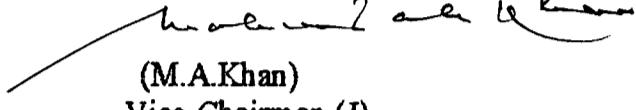
*handed over*

(3)

case for proceeding with the contempt petition any further. We accordingly discharge the notice and dismiss the contempt petition in view of the undertaking given on behalf of the respondents which is accepted. Copy of this order be supplied to the counsel for respondents on request.

  
(S.A. Singh)

Member (A)

  
(M.A.Khan)

Vice-Chairman (J)

/kdr/