

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

C.O.C.P. No.1770 of 2015

Date of Decision: 18.01.2017

Tilak Raj and others

..... Petitioners

Versus

Ajay Kumar Puthia, General Manager,
Northern Railway and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: None for the petitioners.

Mr. Puneet Jindal, Senior Advocate assisted by
Ms. Sakshi, Advocate for the respondents.

JASWANT SINGH, J. (Oral)

The Eleven petitioners are retirees prior to 01.01.1996 from the rank of Mistry-cum-Supervisor with the Northern Railway Department. They filed Original Applications before the Central Administrative Tribunal (for short “the Tribunal”) for grant of revised pension w.e.f. 01.11.2003 on the ground that the post held by them was upgraded to the post of Junior Engineer-II with a higher pay scale with effect from 01.11.2003, in terms of the Railway Board's Circular dated 09.10.2003. Their claims were upheld by the Tribunal in the light of previous judgment rendered by a Division Bench of this Court, passed in more or less in similar facts in **CWP No.9581 of 2011** titled as **Agia Ram and others Vs. Union of India and others**. In the S.L.P. filed in the Agia Ram's case, a conscious decision was taken by the Railway Authorities to implement the decision in Agia Ram's case. The writ petition filed by the Railway Authorities before this Court against the order(s) passed by the Tribunal in the case of the petitioners was dismissed vide order dated 29.01.2015, keeping in view the stand of the Railway Authorities to accept the verdict in Agia Ram's case in principles. The benefits qua revised pension,

however, in the case of the present petitioners were restricted to three years prior to the date of filing of the Original Application(s) before the Tribunal.

Since the needful was not done within stipulated time, the contempt(s) were filed.

Upon notice, reply has been filed, wherein an objection has been taken that the present contempt is not maintainable. To the contrary, the contempt, if any, can be invoked under Section 17 of the Administrative Tribunal Act before the Tribunal itself.

Learned Senior Advocate appearing for the respondents states that on the previous date, the claims qua all the petitioners had been satisfied and only qua petitioner No.9-Sh. Amaridass Singh remained to be redressed.

At the time of hearing, learned Senior Advocate states that now outstanding dues even qua petitioner No.9 have been cleared and the judgment dated 29.01.2015 stands duly complied with.

Since no one has come present on behalf of the petitioners to rebut the aforesaid position, therefore, the present petition stands dismissed as infructuous.

January 18, 2017

Gagan

**(JASWANT SINGH)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>