

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 1480 OF 2022

Saiyed Abid Ali ... Petitioner

versus

Union of India,
Through the General Manager
Central Railway and Another ... Respondents

.....

Mr. Priyaranjan Roy for the Petitioner.

Mr.Sachin B. Patil i/b. Mr.R.R.Shetty for the Respondents.

.....

**CORAM : NITIN JAMDAR &
MANJUSHA DESHPANDE, JJ.**

DATE : 14 DECEMBER 2023

P.C.:

This Petition is filed challenging the order dated 4 October 2021 passed by the Central Administrative Tribunal (the Tribunal), Mumbai disposing of Contempt Petition No. 07 of 2021 filed by the Petitioner in Original Application No. 76 of 2016.

2. The Petitioner had filed Original Application No. 76 of 2016 which was disposed of by order dated 20 June 2018. The Tribunal, after having considered the response of the Respondents, came to the conclusion that the Respondents are not liable to be proceeded with in contempt jurisdiction and the Petitioner was at liberty to avail of remedies as per law.

3. The Tribunal, having considered the facts and circumstances of the case, came to the conclusion that the contempt jurisdiction is not to be invoked which could lead to serious consequences for the Respondents including penal consequences. The Tribunal is well within its jurisdiction to take such a view. We find no perversity in the order of the Tribunal.
4. The Writ Petition is accordingly disposed of.
5. The Tribunal has already given liberty to the Petitioner to avail of substantive remedy.

(MANJUSHA DESHPANDE, J.) (NITIN JAMDAR, J.)