

Court No. - 17

Case :- CONTEMPT APPLICATION (CIVIL) No. - 1237 of 2023

Applicant :- Ravi Kumar Verma And Others

Opposite Party :- Sri Chandra Veer Raman, General Manager, North Eastern Railway, Gorakhpur And Others

Counsel for Applicant :- Praveen Kumar

Hon'ble Rajeev Singh,J.

1. Heard learned counsel for the petitioner.
2. Learned counsel for the petitioner has stated that the O.A. of the petitioner bearing O.A. No. 262/2001 has been allowed by the Central Administrative Tribunal, Lucknow vide judgment and order dated 26.5.2004. Assailing the aforesaid order the Union of India has filed a writ petition bearing Service Bench No. 74 of 2005 (Union of India vs. Vinay Kumar Mishra and 9 others) before the Division Bench of this Court which has been dismissed on 13.10.2009. Assailing the order dated 13.10.2009 passed by the Division Bench the Union of India went in appeal before the Apex Court bearing Special Leave to Appeal No. 24303 of 2010 which has been dismissed on 18.10.2022, therefore, learned counsel for the petitioner has stated that the order of the Central Administrative Tribunal has attained finality up to the Apex Court. Despite the aforesaid order of the C.A.T., Lucknow having been finalized the authorities are not making compliance of the order in its letter and spirit.
3. On being confronted the learned counsel for the petitioner as to why he has not filed contempt petition before the C.A.T., he has stated that since the Union of India has approached this Court by filing a writ petition which has been dismissed, therefore, the petitioner has filed contempt petition before this Court.
4. Having considered the argument of learned counsel for

the petitioner and having regard to the aforesaid orders being passed by this Court and the Apex Court, I am of the considered view that when there is statutory provision to file contempt petition before the C.A.T., the petitioner should file contempt petition before the C.A.T. for execution of the order of the C.A.T.

5. Therefore, the present contempt petition is disposed of finally at the admission stage giving liberty to the petitioner to approach the Central Administrative Tribunal, Lucknow by filing contempt petition for seeking execution of the order of the C.A.T. dated 26.5.2004 (supra) inasmuch as the same has attained finality up to the Apex Court.

Order Date :- 14.8.2024

VKS