

Contempt Cases involved

Most Immediate

भारत सरकार GOVERNMENT OF INDIA
रेल मंत्रालय MINISTRY OF RAILWAYS
(रेलवे बोर्ड RAILWAY BOARD)

No.E(P&A)II-2015/RS-28

New Delhi, dated 14.09.2016.

The General Managers,
All Indian Railways.

Sub : Contempt Petition relating to demand of Loco Inspectors for reckoning of pay element of 55% at the time of retirement.

Kindly refer to this office letter No. E(P&A)II/2008/RS-32/Vol.III . dated 22-03-2016 and E(P&A)II/2016/RS-18 dated 22-07-2016 on the above subject whereby it was informed that 'Stay' has been obtained in Civil Appeal No.3110/2016, UOI Vs. Sh. Kishan Lal Sharma and Civil Appeal No. 4386/2016 UOI Vs. K. L. Mehndiratta against the verdict dated 09-10-2015 of Hon'ble High Court of Delhi in the Hon'ble Supreme Court of India.

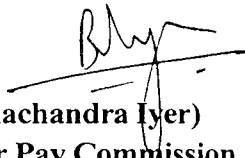
It is understood that several Contempt Petitions have been filed before various Hon'ble Tribunals on the subject. One Contempt Petition (C) No. 170/254/2015 in the matter of Sh. G. Shivasubramanian and Ors. VS. UOI has been filed before CAT/Bangalore. In this connection, it is stated that the Hon'ble Tribunal/Bangalore has given the following order:-

"Heard, Apparently, we had followed the decision of the Principal Bench of this Tribunal at Delhi, which had been confirmed by the decision of the Delhi High Court, Now that the Delhi High Court judgment is stayed by the Hon'ble Apex Court in CC No. 4758/2016 vide order dated 18-03-2016 and a stay was granted.

Therefore, the CP is dismissed. Notices discharged reserving the right to rejuvenate the matter following the decision of the Hon'ble Apex Court."

In view of the above, it is advised that if any similar issue is pending before any Court of Law on your Railway, the above position may be brought to their notice. A copy of the said order is enclosed. It is requested to take adequate care to defend and assign similar case, if any, to a Senior officer for proper monitoring and follow up. The status of such cases may be informed to this office from time to time.

DA: As above


(S. Balachandra Iyer)
Director Pay Commission
Railway Board

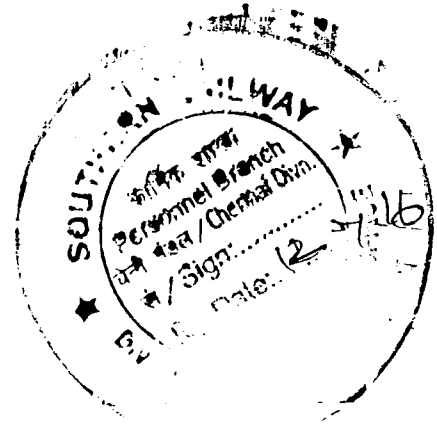
Copy to: FA&CAO of all Zonal Railways.

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CP No.254 of 2015

DRM
S.D.P.O

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH : BANGALORE
CONTEMPT PETITION No.170/00254 of 2015
IN
ORIGINAL APPLICATION No. 184 OF 2009
TODAY, THIS THE 23rd DAY OF MARCH, 2016



HON'BLE Dr. K.B. SURESH ... MEMBER (J)

HON'BLE SHRI RUDHRA GANGADHARAN ...MEMBER (A)

1. G. Shivasubramanian, S/o K. Chinnappa gounder, Retired Sr. Loco Inspector, Southern Railway, Chennai, R/at No.306, East of N.G.E.F. BDA Layout, Vijayanagar, Bangalore -16.
2. R. Sourirajalu, S/o K.R. Naidu, Aged about 64 years, Retired Sr. Loco Inspector, South Central Railway, Vijayawada, R/at No.2cc/306, East of N.G.E.F. BDA Layout, Vijayanagar, Bangalore -16.
3. V. Rajashekarana, S/o Vaidyanatha Iyer, Aged about 72 years, Retired Sr. Loco Inspector, Southern Railway, R/at C/o Sridhar 'B', 'A', 103, Divyashree Residence, 156, Devegouda Main Road, R.T. Nagar, Bangalore-32.
4. V.L. Francis, S/o V.P. Lonappan, Aged about 65 years, Retired Sr. Loco Inspector, Southern Railway, Thambaram, Chennai, R/at C/o Shji Johan 29, Kalapurayil 2nd Main, M.V. Nagar, Bangalore-16.
5. C. Mohansundaram, S/o S.V. Chakrapani, Aged about 61 years, Retired Sr. Loco Inspector, Southern Railway, Park House, Chennai and R/at No.103, 12th Main 29th Cross, Kuvempunagar, Banashankari II Stage, Bangalore-70.

Petitioners

(By Advocate Shri M.R. Achar)

Vs.

1. A.K. Mittal, Chairman, Railway Board, Railway Bhawan, New Delhi-110 001.
2. N. Swaminathan, Chief Personnel Officer, Southern Railway, Chennai-600 001.
3. Vashishta Johri, General Manager, Southern Railway, Chennai - 600 001.
4. Ravindra Gupta, General Manager, South Central Railway, Secunderabad-3.

5. Samuel, Divisional Personnel Officer, Southern Railway, Chennai Division, Chennai - 600 001.

6. S. Srinagudu, Divisional Personnel Officer, South Central Railway, Vijayawada Division, Vijayawada - 520 001.

Respondents

(By Advocate Shri N.S. Prasad)

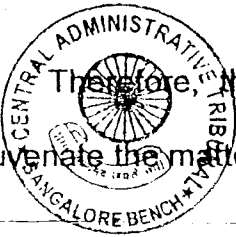


ORDER (ORAL)

Hon'ble Dr. K.B. Suresh, Member (J) :

Heard. Apparently, we had followed the decision of the Principal Bench of this Tribunal at Delhi, which had been confirmed by the decision of the Delhi High Court. Now that the Delhi High Court judgment is stayed by the Hon'ble Apex Court in CC No.4758/2016 vide order dated 18.03.2016 and a stay was granted.

2. Therefore, the CP is dismissed. Notices discharged reserving the right to rejuvenate the matter following the decision of the Hon'ble Apex Court.



Sd-

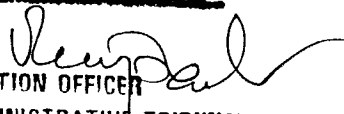
(RUDHRA GANGADHARAN)
MEMBER (A)

Sd-

(K.B. SURESH)
MEMBER (J)

psp

CERTIFIED TRUE COPY

Dated 21/06/16

SECTION OFFICER

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH, BANGALORE