

(5)

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINICPAL BENCH, NEW DELHI.

CP-121/2003 in  
OA-981/2002

New Delhi this the 4th day of July, 2003.

Hon'ble Sh. Shanker Raju, Member(J)  
Hon'ble Sh. S.K. Naik, Member(A)

Shri Ram Avtar,  
Working as Motor Lorry Driver  
in the O/o Executive Engineer,  
CPWD, 'U' Division, CGO Complex,  
New Delhi. .... Petitioner

(through Sh. Parvinder Singh Goindi, proxy  
for Sh. S.K. Anand, Advocate)

Versus

1. Sh. J.N. Bhawani Prasad and Anr.  
Director General, CPWD,  
Nirman Bhawan,  
New Delhi.
2. Sh. S.K. Sharma,  
Executive Engineer,  
'U' Division, CPWD,  
CGO Complex,  
New Delhi. .... Respondents

(through Sh. D.S. Mahendru, Advocate)

ORDER (ORAL)

Shri Shanker Raju, Advocate

In pursuance of the Tribunal's directions dated 22.11.2002 to treat the case of the petitioner for regularisation against the post of Motor Lorry Driver, respondents, on consideration, rejected the claim of the petitioner vide Office Order dated 29.04.2003. Learned proxy counsel for petitioner states that respondents have taken a different stand in the present case as a similar relief has been granted to other similarly circumstanced by virtue of a decision rendered by the co-ordinate Bench.

2. In view of the above settled legal position, in contempt proceedings no fresh cause of action can be gone through. Accordingly, we do not find any merit in the present contempt petition. Accordingly, CP-121/2003 is dismissed. Notices are discharged.

3. However, this shall not preclude the petitioner to assail the order passed by the respondents, in accordance with law.

S.K. Naik

(S.K. Naik)  
Member(A)

S. Raju

(Shanker Raju)  
Member(J)

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