

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

CP No.360/2001  
OA 67/2001

New Delhi this the 30th day of January, 2002

Hon'ble Smt.Lakshmi Swaminathan,Vice Chairman (J)  
Hon'ble Shri S.A.T.Rizvi, Member (A)

Banwari Lal  
S/O Shri Mashi Charan,  
H.No.H/43,Kaliwari Marg,  
New Delhi.

..Petitioner

( By Advocate Shri U.Srivastava,  
learned counsel through  
proxy counsel Sh.Gyanshawar )

VERSUS

1.Shri B.C.Sharma,  
Director,CBT,CGO Complex,  
Lodhi Road, New Delhi.

2.Smt.S.Sundari Nanda  
Superintendent of Police,  
CBT, SPE SIU (IX) New Delhi.

..Respondents

(By Advocate Shri R.V.Sinha,learned  
counsel through proxy counsel Shri  
R.N.Singh )

O R D E R (ORAL)

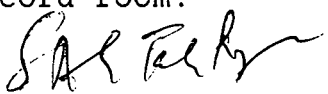
(Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman (J)

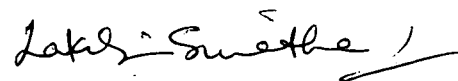
This CP has been filed by the petitioner, alleging that the respondents have wilfully disobeyed the Tribunal's order dated 10.1.2001 in OA 67/2001. Shri R.N.Singh,learned proxy counsel for the respondents has submitted that CWP filed by them against the aforesaid orders of the Tribunal in the Hon'ble Delhi High Court and later before Hon'ble Supreme Court by way of SLP have been dismissed by orders dated 21.8.2001 and 10.1.2002, respectively. He has also submitted categorically at the Bar after taking instructions from the Departmental official that

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no person junior to the petitioner has been re-engaged by them as Casual Safaiwala after the order dated 10.1.2001 has been passed. He has also submitted that the averments made by the petitioner in Paragraph 3 of the CP, namely, that based on reliable sources, unofficially he had come to know that a number of fresh casual labourers, for example, Shri Ajai and Shri Shiv Kumar have been engaged, are too vague as he has not been able to verify whether these persons are ~~exactly~~ <sup>actually</sup> working, and so on. We find force in the submissions made by the learned proxy counsel for the respondents that it was for the petitioner to give details with regard to such casual labourers if they had been engaged contrary to the Tribunal's order dated 10.1.2001. We further note the submissions made by the learned proxy counsel for the respondents that in case work of the nature which the applicant was doing earlier is available, he will be considered for re-engagement, in preference to his juniors, outsiders and freshers as per the orders of the Tribunal.

2. In the above facts and circumstances of the case, we find no merit in the Contempt Petition. CP is accordingly dismissed. Notices issued to the alleged contemnors are discharged. File be consigned to the record room.

  
( S.A.T. Rizvi )  
Member (A)

  
( Smt. Lakshmi Swaminathan )  
Vice Chairman (J)

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