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Central Administrative Tribunal
Principal Bench, New Delhi.

CP-21/95 in
OA-1800/94

New Delhi this the 1st Day of May, 1995.

Hon'ble Mr. J.P. Sharma, Member(J)
Hon'ble Mr. B.K. Singh, Member(A)

1. Sh. Amit Kumar,
S/o Sh. Kishan Lal.
2. Sh. Dharminder,
S/o Sh. Kishan Lal,
R/o WZ-17, Raj Nagar-II,
Palam Colony, New Delhi-45. Petitioners

(through Sh. Yogesh Sharma, proxy counsel for
Sh. V.P. Sharma, advocate)

versus

Shri M. Singh Air Comodore,
Air Officer Commanding,
AMSE Air Force,
Palam, Delhi Cantt.10.

Respondent

ORDER(ORAL)
delivered by Hon'ble Sh. J.P. Sharma, Member(J)

The contempt petition has been filed by the petitioners alleging that in O.A.No.1800/94 the Tribunal by its decision dt. 27.10.94 directed that the applicants would be preferred to outsiders and freshers whenever there is job requirement and the regular incumbents are not available; that whenever any regular induction takes place the applicants should also be considered alongwith others giving them due weightage of their already having worked with the respondents; and that the respondents shall comply with the recruitment rules and administrative instructions issued from time to time and if the applicants cross the upper age limit for employment that should not be a bar in engaging them on regular basis.

The learned proxy counsel for the petitioners during the course of hearing stated that the petitioners did not apply/nor their names were sponsored by the Employment Exchange. He has further pointed out that the petitioners were not summoned for selection for the said post. This does not give rise of contempt of our order dt. 27.10.94. If the selection has taken place ignoring the claims of the applicants, there is remedy available to challenge that particular selection. The appointments made by the respondents are not of casual nature but appointments were made according to recruitment rules. There is no breach of the directions issued by the order dt. 27.10.94. The contempt petition is, therefore, not maintainable. At this stage, the learned proxy counsel for the petitioners wants to withdraw this petition. Accordingly, it is dismissed as withdrawn.


(B.K. Singh)

Member(A)


(J.P. Sharma)

Member(J)

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