

Central Administrative Tribunal
Principal Bench

C.P.No.176/95 in
O.A.No.23/94

Hon'ble Mr. Justice K.M.Agarwal, Chairman
Hon'ble Shri R.K.Ahooja, Member(A)

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New Delhi, this the 23rd day of March, 1998

1. Pratap Singh
s/o Shri Baghchand
r/o House No.1500 Railway Colony
Sant Nagar
Faridabad (Haryana).

2. Vijay Singh
s/o Shri Karan Singh
r/o House No.1501
Railway Colony
Sant Nagar
Faridabad (Haryana).

... Applicants

(By Shri U.Srivastava, Advocate)

Vs.

1. A.K.Banarjee
General Manager
Central Railway
V.T.Bombay.

2. R.N.Agha
DRM
Central Railway
Jhansi Division
Jhansi.

... Respondents

(By Shri H.K.Gangwani, Advocate)

O R D E R (Oral)

Hon'ble Mr. Justice K.M.Agarwal, Chairman

Compliance report has been filed. However, the learned counsel for the applicant says that full compliance has not been made. The Contempt Petition is of the year 1995. The grievance of the applicant was that directions made in OA No.23/94 dated 25.7.1994 have not been complied with by the respondents. The directions were given as follows:

"We dispose of this application finally with a direction to the respondents to consider the cases of the applicants for re-engagement as well as for being

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absorbed in Group 'D' posts strictly in accordance with law and the seniority list prepared by them (respondents)."

2. The learned counsel for the applicant further submitted that subsequently on 30.6.1997, in the present Contempt Petition 176/95, the following further direction was made. The direction was as follows:

"In the facts and circumstances of the case, we direct that the respondents will verify whether any person junior to them in the seniority list prepared on the basis of aggregate days but in as Casual Labour has been screened and regularised as Group 'D' employee. If that be so, the respondents will also consider the case of the petitioners in terms of the directions of this Tribunal in OA No.23/94 and report compliance within three months. The Contempt Petition is to be listed after three months from today."

3. In reply, the respondents have stated that they have complied with both the orders of this Tribunal. As per the affidavit filed the case of the respondents is that they have verified that no person junior to the applicant was either screened or regularised as Group 'D' employee. In view of these facts, we are of the view that substantial compliance has been made and no case is made out for continuing this Contempt Petition. Accordingly, it is hereby dismissed as having become infructuous. Rule nisi stands discharged.

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(K.M.Agarwal)
Chairman

RK Ahooja
(R.K.Ahooja)
Member (A)

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