

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

CCP 416/93 in OA No.1231/93

NEW DELHI THIS THE 5TH DAY OF JANUARY, 1994

MR. JUSTICE S.K.DHAON, VICE-CHAIRMAN(J)

MR. B.N.DHOUNDIYAL, MEMBER(A)

Shri Jitender Ram
S/o Shri Rameshwar Ram
R/o 206, E, Gali No.15,
Palam Colony, Sadh Nagar
New Delhi.

... Petitioner

(BY ADVOCATE SHRI K.L.BHATIA)

VS.

1. Shri M.S.Reddy,
The Secretary,
Ministry of Water Resources
Sharam Shakti Bhavan
New Delhi-110 001

2. Shri M.S.Reddy,
The Chairman
Sewa Bhavan,
R.K.Puram
New Delhi-110066.....

Respondents

(BY ADVOCATE SHRI K.C.MITTAL)

ORDER(ORAL)

JUSTICE S.K.DHAON:

The complaint in this CCP is that the order passed by this Tribunal on 12.8.1993 in OA No.1231/93 has not been complied with.

2. The substance of the aforesaid order is that the respondents shall consider the applicant for fresh appointment if and when a vacancy occurs in future. The respondents were also directed to give preference to the petitioner over freshers and juniors to him.

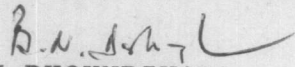
3. In the counter-affidavit filed on behalf of the respondents, it is averred that information was sent to the petitioner on 30.10.1993 asking him to join as a daily wager. In support of this averment, a certificate issued by the Postmaster concerned on 25.11.93 has been produced before us. A perusal of this document shows that, upon an inquiry made by the respondents, the Postmaster concerned

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had given a certificate that Registered Letter No.2935 dated 30.10.93 had been delivered to the addressee on 4.11.1993 under clear receipt. The addressee was no one else except the petitioner. In view of this evidence on record, contempt proceedings cannot be continued. They will have to be dropped.

4. We direct the respondents that if and when they make fresh appointments, they shall give preference to the petitioner.

5. With these observations, this CCP is disposed of. Notices issued to the respondents are discharged. There shall be no order as to costs.


(B.N.DHOUNDIYAL)
MEMBER(A)


(S.K.DHAON)
VICE-CHAIRMAN(J)

SNS