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CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

C.P.NO.137/95 in
O.A.NO.33/93

Hon'ble Shri A.V.Haridasan, Vice-Chairman(J)
Hon'ble Shri R.K.AHOOJA, Member(A)

New Delhi, this 12th day of September, 1995

Shanker Dayal
s/o Shri R.N.Tiwari
c/o Rameshwar Pershad Tiwari
Sanjay Salt Suppliers
A-3, Sarai Piple Thala Estn.
G.T.Road, Adarash Nagar
DELHI.

... Applicant

(By Shri V.P.Sharma, Advocate)

Versus

Shri R.M.Agarwal,
Divisional Railway Manager
Northern Railway,
Bikaner Division
BIKANER (Rajasthan).

... Respondents

(By Shri R.L.Dhawan, Advocate)

O R D E R (Oral)

Hon'ble Shri A.V.Haridasan, Vice-Chairman(J)

The Original Application was disposed of by an order dated 10.10.1994 with a direction to the respondents to include the name of the applicants in the Live Casual Labour Register if they are eligible for such inclusion in terms of Circular No. 220E/190-XIX-A/RIV dated 28.8.1987 of the General Manager, Northern Railway and with further direction to the applicants to submit a representation to the Contempt Authority in order to facilitate consideration of their cases for inclusion in the Live Casual Labour Register. Further, the respondents were directed to dispose of the representation within a period of three months from the date of the receipt of the representation. Alleging that the respondents have disobeyed the direction of the Tribunal by not disposing of the representation submitted by the petitioners the petitioners have filed this Contempt Petition praying that the action for Contempt of Court may be initiated against the respondents for violation of the directions.

2. The respondents in the affidavit have stated that the representation mentioned in the Contempt Petition was not received by them. However, they considered the representation, as a copy was served on them along with notice in the CCP and passed an order dated 25.8.1995 to the effect that the Petitioners did not qualify for inclusion in the Live Casual Labour Register in accordance with the circular dated 28.8.1987. A copy of this order has been produced. The respondents have stated that the delay in implementation of the judgment was because the representation was not received by them.

3. We heard the counsel on either side and we find that the directions have now been complied with by the respondents by giving a speaking order on the representation. The learned counsel for the petitioner has stated that the case of the petitioner was not properly considered by the respondents in the light of the circular dated 28.8.1987 of the General Manager. That is a point which we are not called upon to go into in this Petition. If the petitioners are not satisfied with the outcome of the representation, they are free to assail the reply given to them in a proper proceedings. Respondents having substantially complied with the directions contained in the Judgment, we find that there is no need to proceed in this Contempt Petition. In the result the Contempt Petition is dismissed and notice issued to the respondents is hereby discharged.

R.K. Ahuja
(R.K. AHOOJA)
MEMBER(A)

/RAO/

A. V. Haridasan
(A. V. HARIDASAN)
VICE-CHAIRMAN(J)