

Central Administrative Tribunal
Principal Bench: New Delhi

C.P. No. 235/2000 In
O.A. No. 347/2000

New Delhi this the 4th day of July, 2000 (21)

Hon'ble Mr. Justice Ashok Agarwal, Chairman
Hon'ble Mr. V.K. Majotra, Member (A)

1. Mukesh Kumar
S/o Shri Sukhram
R/o H.No. D-492, Kidwai Nagar,
New Delhi
2. Rajinder Kumar
S/o Shri Shishpal
R/o H-I, SHri Niwaspuri,
New Delhi.
3. Shri Deepak
S/o Shri Rame,
R/o H.No. 47, Priya Darshini Colony,
Jamuna Bazar, Hanuman Mandir,
New Delhi.
4. Shri Vinod Kumar,
S/o Shri Mam Chandra,
R/o H.No. 208, Block No. 30, Trilokpuri,
New Delhi.

...Applicants

(By Advocate: Shri U. Srivastava)

Versus

1. Shri S.K. Saraswat
The Director,
National Museum of Natural History,
Ministry of Environment & Forests,
Barakhamba Road, New Delhi.
2. Shri Tyag Rajan
The Administrative Officer,
National Museum of Natural History,
Barakhamba Road, New Delhi.

...Respondents

ORDER (Oral)

By Justice Ashok Agarwal, Chairman

By the present Contempt Petition, applicants complain disobeyance of the order passed by this Tribunal on 1st June, 2000 in OA No. 347/2000. By aforesaid order, OA was disposed of with the following directions:-

[Signature]

a) In case the selection and engagement of the fresh candidates sponsored by the Employment Exchange has not taken place already, the applicants should be given adequate opportunity to submit their applications for re-engagement.

b) In the event of submission of such an application by the applicants, they should be considered on their merits alongwith other eligible candidates and in accordance with the relevant rules and instructions and in preference to their juniors and freshers, giving due weightage to their past service under the respondents.

c) The respondents should not insist upon the said applicants being sponsored through the Employment Exchange.

d) In case the selection and engagement of fresh candidates has already taken place, the respondents shouold consider the applicants for re-engagement whenever work becomes available in future in the light of the directions given above.

Interim order earler passed stands vacated".

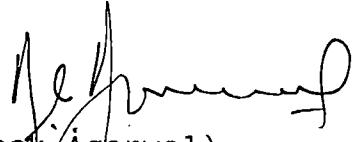
2. As far as the selection and engagement of fresh candidates sponsored by the Employment Exchange are concerned, the same according to Shri Srivastava was made on 23.2.2000. In the circumstances, we find that directions contained in sub paras (a), (b) & (c), ^{will have} ~~there is~~ no application as the same would apply only in case selection and engagement of fresh candidates had not already been made on the date of passing of the order on 1.6.2000. Since selection and engagement had already been made much prior i.e. on 23.2.2000, para-(d) will operate. The same directs the respondents to consider the applicant for re-engagement whenever work is available in future. In the circumstances, no exception can be ~~made~~ ^{had} to

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the order issued on 30.6.2000 dispensing with the services of the applicants. The same is in no way ~~in defiance~~^{contravenes} of the aforesaid directions issued on 1.6.2000. In the circumstances, we find that no case of contempt is made out in the present petition. The same is accordingly dismissed.

V.K. Majotra

(V.K. Majotra)
Member (A)



(Ashok Agarwal)
Chairman

cc.

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