

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

CP 308/94 in
OA 434/92

(13)

New Delhi, This the 9th day of December, 1994

Hon'ble Mr. Justice, S.C. Mathur, Chairman
Hon'ble Mr. P.T. Thiruvengadam, Member(A)

1. Sh. Hira Lal, S/o Sh. Kallu
2. Sh. Kanhya Lal, S/o Sh. Ganga Ram
C/o H.No. B-4, 197 Block
Paharganj Rly Colony
New Delhi

.... Applicants

(By Advocate : Sh. V.P. Sharma)

Vs.

Sh. V.K. Aggarwal
The Divisional Railway Manager
Central Railway
Jhansi

.... Respondents

(BY Advocate : Sh. H.K. Gangwani)

ORDER(Oral)

Hon'ble Mr. S.C. Mathur

On behalf of the respondents it has been stated that the order of the Tribunal has been complied with. The learned counsel for the applicant sought time on 30th November'94 to file rejoinder. Today the learned counsel for applicant prayed for further time to file rejoinder. The learned counsel for the respondents opposed the prayer for adjournment and pointed out that nothing material can be pointed out in the rejoinder as the judgement of the Tribunal merely required passing of an order which has been done.

2. The order of the Tribunal reads as follows:-

"It appears to be an admitted fact that under the terms of the scheme the petitioners are entitled to be considered for regularisation of their services. The authority concerned shall apply his mind

(A)

to the scheme and case set up by the petitioners and thereafter pass orders as expeditiously as possible".

3. The order of the Tribunal was passed on 10th June, 1993. On 15th November'94 the administration has passed an order which has been filed as annexure R-1 to the reply. The material portion of the order reads "in reference to the decision quoted above you are hereby informed that you could not be placed on panel and regularised for class IV post in railway as you were not found suitable by the Screening Committee because you did not produce the Casual Labour Card, you have less number of days of service as Casual Labour and you were not on roll". It is apparent from the contents of the letter which is in the form of a letter addressed to the applicant that relevant authority has applied its mind and not found ^{applicant} suitable for regularisation. It may be according to the applicant the Committee has not considered his case properly but that can not be the subject matter of a contempt application. As such we are not inclined to grant time for filing the rejoinder. We are satisfied that the order of the Tribunal has been complied with. If the applicant has any grievance against the order dated 15th November'94 at appropriate forum, he is free to agitate the issue. There shall be no orders as to costs. Contempt notice served on respondents is hereby discharged.

R. J. D.

(P.T. Thiruvengadam)
Member(A)

S. C. Mathur
Chairman

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