

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Contempt Petition No. 43 of 1996

In

Original Application No.863 of 1993

Allahabad this the 31st day of March, 1999

Hon'ble Mr. S. Dayal, Member (A)
Hon'ble Mr. S.L. Jain, Member (J)

1. Jagat Lal, Son of Sri Suraj Deen,
2. Ram Kishun, Son of Shri Puttan,
3. Mata Deen Son of Shri Ramai, all resident of
village Pansaur, P.O. Lokipur, District Allahabad.

Petitioners/
Applicants

By Advocate Shri Sukh Deo

Versus

1. Shri Sajjiva Rai, D.S.E.(C) Office of D.R. M.
Northern Railway, Nawab Yusuf Road, P.S. Civil
Lines, Allahabad.
2. Shri A.K.Srivastava, D.S.E.(II) Office of D.R.M.
Northern Railway, P.S. Civil Lines, Allahabad.

Contemners/Opp.Parties.

By Advocate Shri A.K. Gaur.

ORDER (Oral)

By Hon'ble Mr. S. Dayal, Member (A)

This contempt petition has been filed by

the learned counsel for the applicant for punishing the opposite parties for committing wilful contempt of the orders of the Tribunal in O.A.No. 863 of 1993, by not complying with the order within 3 month, by not granting temporary status to the applicants and by not re-engaging them although their juniors have been working and were regularised.

2. The arguments of Sri Sukh Deo, learned counsel for the applicant and Sri A.K. Gaur, learned counsel for the respondents, have been heard.

3. Learned counsel for the applicant mentioned that he had given the names of the juniors of the applicant who were re-engaged as one Sri Hari Raj and one Sri Kripakar Mishra. Learned counsel for the opposite parties has stated that no juniors to the applicant had been re-engaged. He has further mentioned that mere stating the names of two persons without giving full particulars does not enable the opposite parties to make full verification and that the statement given in the counter-affidavit regarding non-engagement of the juniors, is therefore, correct.

4. Another act of contempt alleged on the part of the opposite parties is non-furnishing of any reply to the applicant in response to the directions given by the Tribunal. The opposite parties have annexed a letter dated 05.7.96, written by Senior Divisional Engineer to Assistant Engineer, Allahabad in which certain facts have been mentioned but no reply appears to have been given to the applicants. It is also not known as to

how the applicants were associated with verification of their period of work. Under these circumstances, we close this case for contempt and discharge the notices issued to the respondents but direct the opposite parties to give a reply to the applicants in detail as far as the directions of the Tribunal were concerned, on the applicants furnishing particulars about their juniors and particulars about the period worked.


Member (J)


Member (A)

/M.M./