

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD

Civil Contempt Petition No. 10 of 1997

In

Original Application No. 1592 of 1993

Allahabad this the 27th day of February, 2001

Hon'ble Mr.S.K.I. Naqvi, Member (J)  
Hon'ble Mr.S.A.T. Rizvi, Member (A)

Shiv Nath Prasad Yadav S/o B.P. Yadav, working as Radiographer/X.Ray Technician under Chief Medical Supdt., Northern Railway, Allahabad R/o Qr.No. 787-B, Railway Loco Colony, South Road, Allahabad.

Petitioner

By Advocates Shri Anand Kumar,  
Shri C.P. Gupta

Versus

1. Shri Shanti Narain, General Manager, Northern Railway, Baroda House, New Delhi.
2. Shri M.N. Chopra, Divl.Railway Manager, Northern Railway, Allahabad.
3. Shri S.P. Saroj, Chairman, Railway Recruitment Board, Allahabad.

Opp.PARTIES

By Advocate Shri A.K. Gaur

O\_R\_D\_E\_R ( Oral )

By Hon'ble Mr.S.K.I. Naqvi, Member (J)

The applicant came up on contempt side alleging non-compliance of Court's direction ~~in~~ in O.A.No.1592 of 1993 through which respondents were directed as under;

"We allow this O.A. We further direct that no appointment by way of direct recruitment on the

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post of Radiographer Grade II scale Rs.1350-2200/- pursuant to the notification of the Railway Recruitment Board contained in Annexure A-1 for which viva-voce is stated to have been held on 17.10.1993 shall be given effect to. We further direct that the respondents shall first consider the candidature of the applicant for promotion against the said post and shall act in accordance with the provisions as contained in para 164(3) of the Indian Railway Establishment Manual (Volume-I)."

2. The respondents have filed counter-affidavit followed by two supplementaries with specific mention that the Court's directions have been complied with and no appointment by way of direct recruitment on the post of Radiographer Grade II in pursuance to the Notification of Railway Recruitment Board shall be given effect to and the case of the applicant has been considered for this post. Learned counsel for the applicant is not satisfied with this mention and during the course of arguments he drew our attention towards letter dated 22.2.2001, which clearly indicates that the applicant was considered for appointment to the post of X-Ray Technician and has been kept on provisional panel.

3. From the above, we are satisfied that substantive compliance has been made and there is no deliberate or wilful disobedience of the Court order. The Contempt Petition is dismissed and the notices are discharged. However, it is provided that if any fresh cause of action arises, the applicant may agitate the same through fresh O.A.

*Shrikant*

Member (A)

*S. C. Mehta*

Member (J)