

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
THIS THE 6TH DAY OF SEPTEMBER, 1997

Civil Contempt Application No. 64 of 1997

In

Original Application No.377 of 1994

HON.MR.JUSTICE B.C.SAKSENA,V.C.

HON.MR.S.DAS GUPTA, MEMBER(A)

Santosh Kumar Gupta, son of
Shri Bairo Prasad Gupta,
Ex-Casual Labour, A.G.U.P., Alld
R/o House No. 20, muthiganj
Katghar Road, Allahabad

.. .. Applicant

(By Advocate Shri C.P. Shukla)

Versus

1. Shri V.K. Shangloo
Controller & Auditor General of India
New Delhi.
2. Shri Arvind Awasthi
Principal Accountant General
Uttar Pradesh, Allahabad.

.. .. Respondents

O R D E R

JUSTICE B.C.SAKSENA,V.C.

We have heard the learned counsel for the applicant. The supplementary affidavit filed today has been placed on record. The applicant has filed OA No. 377/94 which was decided by an order dated 29.11.96. the operative part of the said order reads as under:

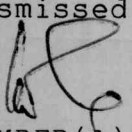
"For the reasons stated above, we dispose of this application with a direction to the respondents to include the name of the applicant in the Live Casual Labour Register as per the seniority pursuant to the directions issued in OA No. 449/91 and he likewise may be considered for regular absorption according to the seniority."


Alongwith the contempt petition copy of an order dated 18.3.97 has been filed as Annexure 3. Therein it has been indicated that pursuant to the direction dated 29.11.96 the

applicant is being informed that his name has been entered in the live casual labour register and it was also indicated that as and when a need for engaging casual labour would arise, the applicant would be engaged on the basis of his seniority position in the said register. The applicant was also advised to keep in touch with the general administration section of the office.

2. In view of the contents of the said letter we do not feel inclined to take the view that the respondents have wilfully disobeyed to comply with the direction.

3. The plea taken by the applicant in the supplementary affidavit that Moti Lal and Bajrangi Lal were juniors and they have been re-engaged as casual labours is misconceived. In para 7 of the supplementary affidavit it has been indicated that their re-engagement was pursuant to orders passed in OA 112/91 and OA 449/91. The applicant is not in a position to indicate the sl. no in the live casual labour register of the aforesaid two persons nor about his own sl. no. In the circumstances since compliance of the directions has been made the contempt petition fails and is accordingly dismissed.


MEMBER(A),


VICE CHAIRMAN

Dated: September 6th 1997

Uv/