

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH
ALLAHABAD.

Allahabad this the 2nd day of February 1999

Review Application no. 29 of 1998

in

Contempt petition no. 52 of 1998

in

Original Application no. 626 of 1998.

Hon'ble Mr. S. Dayal, Administrative Member

Hon'ble Mr. S.K. Agrawal, Judicial Member

Jai Shanker Bajpai

and

Sri Krishan

... Applicants

C/A Shri A.B.L. Srivastava

Versus

Shri P.C. Sharma
D.R.M., N. Rly.,
Moradabad

Or

Sri U.C. Mudgal,
Asstt. Engineer,
N. Rly.,
Roorkee.

... Respondents


C/R ...

ORDERHon'ble Mr. S. Dayal, Member-A.

This review application has been filed seeking review of order dated 11-8-98 in which prayer of the applicant for initiation of contempt for alleged wilful disobedience of an interim order was rejected.

The reason for rejection was that the Bench in OA No.626 of 1998 had ordered an interim relief to the applicants that they shall not be reverted from skilled artisan group-C to group-D post till the next date. The applicants filed the contempt petition on the ground that the applicants had not been allowed to join their duty on the post held by them prior to issue of the impugned orders. We were of the opinion that the order passed was against reversion and not joining on the same posts. Therefore, the case for contempt was not made out. The applicant had presented an amendment application No.2458 of 1998 to the contempt petition No.52 of 98 in which they had stated that three of the five applicants were allowed to join on the same posts while two were not allowed to join on the specious plea of the respondents that they had refused to accept Memo dated 6-7-98 and prayer was made for permitting the applicants to join duty on posts held by them prior to the issue of the impugned orders. This made clear that the applicants sought initiation of contempt proceedings for not giving them the same posts which they held prior to their order for regularisation as Group D and not on Group C post. Since interim order did not stipulate this reposting on the same post, it was not considered necessary to permit amendment and issue notice for contempt to the respondents.

The order had been passed after due consideration and on merits of contempt petition and cannot be challenged in review. Therefore, this review application is **dismissed** as misconceived.


Member-J


Member-A