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Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH
ALLAHABAD.

Allahabad this the 25th day of May 1998.

Contempt Petition no. 18 of 1998
in

Original Application no. 1134 of 1993.

Hon'ble Mr. S. Dayal, Administrative Member
Hon'ble Mr. S.L. Jain, Judicial Member

Raja Ram, S/o Shri Motilal, R/o Village Bambharauli.
P.O. Bharwari, Distt. Koshambi.

... Applicant

C/A Sri K.S. Saxena.

versus

1. Shri M.N. Chopra, Disivional Railway Manager,
Allahabad.

... Respondents

C/R

ORDER (Oral)

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

Sri K.S. Saxena, learned counsel for the applicant. He has filed contempt application alleging contempt of order passed by the Tribunal in O.A. 1134/93 on 28.02.97.

2. The order passed by the Tribunal is that the applicant shall be deemed to have attained the temporary status on completion of 120 days work at Sujatpur and that he shall be re-engaged as casual labour with temporary

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status forthwith in case any of his juniors in the same seniority unit was appointed/re-engaged after the disengagement of the applicant and in case no such juniors was appointed/re-engaged, the applicant shall be re-engaged as and when his turn comes on the basis of his seniority and the services of the applicant shall be regularised in his own turn. Learned counsel for the applicant seeks to introduce following amendments to his contempt petition:-

"One Shri Basdev, R/o Village Kanwar, who was re-engaged at Sujhatpur Rly. Station as Hot Weather Staff, subsequent to the engagement of the petitioner, on and from 26.05.87 to 15.10.87, and as such was junior to the petitioner, had been regularised by the respondents against class IV post, and on date, he holds a promotional post of Switchman under the respondents on Allahabad Division."

3. It is clear from the content of the amendment that no person was named in the O.A. as junior to the applicant and now the applicant seeks to give the name in order to move the application for contempt. The applicant would be within his right of approach the respondents with this information for relief granted by the Tribunal but he can not file contempt application on the basis of this discovery of same facts which were not available to the respondents earlier. Hence the application for contempt is not entertained.

g. j. j. m
Member-J

h
Member-A

/pc/