

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

Allahabad, this the 8th day of Nov. 2001.

CORAM : HON. MR. S. DAYAL, A.M.
HON. MR. RAFIQUDDIN, J.M.

CCF no 195 of 2001 L

OA No. 1153 of 1993.

1. Luxmi Narain Giri S/O Sri Tirath Giri R/O Vill.
Uttam Giri Ki Chakiya, Post Office, Phaphamau,
District - Allahabad. Applicant.

Counsel for Applicant : Sri M.K. Upadhyay.

Versus

1. Sri B.K. Shugnu, Comptroller and Auditor General
of India, New Delhi.
2. Sri Y.C. Satyavadi, Principal Accountant General
(Accounts & Est.), UP, Allahabad..... Respondents.

Counsel for Respondents : Sri S. Chaturvedi.

ORDER (ORAL)

BY HON. MR. S. DAYAL, A.M.

Counsel for applicant moves the contempt
petition which has been filed for summoning the respondents
for punishing them for contempt for deliberate and
disobedience of judgement and direction of the Tribunal
in order dated 30.3.2001.

We find that order dated 30.3.2001 has given
the following directions :-

" Keeping in view the facts and circumstances of the
present matter and those in referred OA, Bajrangi Lal
Vs. Union of India and Others, we find that the direction
given in that matter is relevant for the purpose of
present case also and the respondents are, therefore,
directed to decide the pending representation of the
applicant, copy of which has been annexed as Annexure A-I,
within a period of three months from the date of
communication of this order and in case the relief sought
is not provided, a detailed, reasoned and speaking order
be passed keeping in view the observation in Bajrangi
Lal's case (supra), with copy to the applicant. The OA
is decided accordingly. No order as to cost. "

The respondents were thus, expected to decide
the representation of the applicant at Annexure A-I
keeping in view the observation in Bajrangi Lal case.
The applicant has submitted a copy of the order of

respondents which is annexed as Annexure-IV. The said order read as follows :-

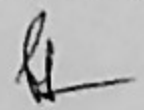
"In view of the above direction of the Hon'ble Tribunal, the competent authority has considered the case and found that :

i) Shri Laxmi Narain Giri, S/o Tirath Giri did not turn-up for re-engagement of casual labourer between 1984 and 4/94 and left the job on his own accord. He submitted the representation dated 22.7.93 after a lapse of nearly 10 years from the date of leaving the job and in-between never represented for his re-engagement as casual labour in this office.

ii) A notification was also issued on 4.4.1994 by this office calling for application in a prescribed format from all those persons who intend to work as casual labour. In the said notification it was made clear that preference will be given to those who have already worked as casual labour in the past in this office. Sri Laxmi Narain Giri did not apply even then. "

The Counsel for the applicant states that the ~~app~~ applicant had given representation as early as in the year 1991 which was annexed in the OA and, therefore, the ground that he did not seeks any job with the respondents for 10 years is incorrect. Counsel for the applicant also states that the applicant had appeared before the office in response to notification dated 4.4.94 and had applied. Yet the order mentions that he had not given any such application. The contention of learned Counsel for applicant for both grounds taken by the respondents were not factually correct.

We find that the direction was to decide the representation which has been done. The fact that the respondents have mentioned 10 years whereas the applicant remained away from work for 7 years does not affect the fact that the applicant sought work after a gap of long period of time. The counsel for applicant also mentions that case of Bajrangi Lal has not been followed. However, we find that the respondents have stated in their reply to representation that the applicant was not a fit person whose name can be listed for re-engagement and, therefore,



his application dated 22.7.93 has not been acceded to. Thus, the respondents are maintaining register of casual labour as required in Bajrangi Lal case and have considered the applicants ^{claim} to enter his name in the said list. Thus, this contention of the applicant is not tenable. We, therefore, find that no contempt has taken place and hence rejected the application.

Rajendra
J.M.

A.M.
A.M.

Asthana/

