

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

Civil Contempt Petition No. 245 of 2001.

IN

Original Application No. 1165 of 1995.

Allahabad, this the 11th day of November 2002.

Hon'ble Mr. Justice R.R.K. Trivedi, V.C.

Hon'ble Mr. S Jha, A.M.

1. Suresh Chandra
son of Ram Dev,
Resident of Gohdi, Post: Basti, District Gorakhpur.
2. Ranji Prasad,
Son of Vindhya Lal,
Village Kuamail, Post Maisha, District Gorakhpur.
3. Jhinkan,
son of Ramjiwan,
resident of Village: Bankatwalala, Post: Gohdi,
District Basti.
4. Sheikh Mohammad,
son of Rajjab Ali,
R/o Village Bankatwalala, Post: Gohdi,
District Basti.
5. Majibullah, Son of Ayub Mohammad,
R/o Village Gandsarpar Post: Padariya
District Basti.
6. Gangaram, son of Bindeshwari,
R/o Village Bankatwalala, Post:
Padariya, District Basti.
7. Jhinku, Son of Ramvilash,
R/o Village: Bankatwalala, Post Gohdi,
District Basti.
8. Sudama, Son of Shyamlal, r/o Village Gohdi,
Post: Gohdi, District Basti.
9. Ramdaras, son of Bujharat,
r/o Village Barsipar, Basman, Post Gohdi,
District Basti.
10. Raghupati, son of Dhanushdhari
resident of Village Pherusa,
Post Gohdi, District Basti.
11. Akhileshwar Pandey son of Rajaram Pandey,
resident of Village Utraulia, Post Pakhuapar
(Via Maghar). District Basti.
12. Gulab Chandra, son of Radheyshyam
resident of Village Byara, Post Maghar,
District Basti.

.....Applicants.

(Counsel for the applicants:- Sri G.D. Mukherjee).



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Versus.

1. Om Prakash, General Manager, North Eastern Railway, Gorakhpur.
2. G.S. Sharma, Chief Works Manager (Bridge) North Eastern Railway, Gorakhpur.

.....Respondents.

(Counsel for the respondents:)

O R D E R (Oral)

HON'BLE MR. JUSTICE R.R.K. TRIVEDI, V.C.

This application under section 17 of the A.T. Act, 1985, The applicant has filed this application for punishing the respondents for wilful disobedience of the order of this Tribunal dated 30.11.2000 passed in O.A. No. 1165 of 1995. The direction passed by the Tribunal was as under:

"The respondents are, therefore, directed to consider the claim of the applicants for entering their names in Live Casual Labour Register within a period of six months from the date of furnishing a copy of this order alongwith their representation showing the period of their work. The application is disposed of accordingly. No order as to costs."

2. After the aforesaid order, the applicant filed representation before respondents, respondents have passed the following order in respect of the applicant No.1, Suresh Chandra.

"I have carefully considered your representation alongwith service records submitted by you, in compliance to the judgement passed by Hon'ble C.A.T/ Allahabad in O.A. No.1165 of 1995 regarding inclusion of your name in the live casual labour register. You belong to the community of O.B.C. It is found that your date of birth is 01.01.1955. After age relaxation, the upper age limit for O.B.C community prescribed by the Railway Board for keeping the name of ex-casual labour in the live register is 43 years for re-engagement as substitute or Casual labour in Group-D category. Keeping in view the circumstances mentioned above, your name cannot be entered in the live casual register".

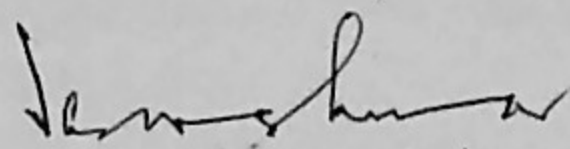
3. Thus the representation of the applicant has been rejected on the ground that the applicant is over age and his name cannot be included in the live casual register, similar order ^{have been passed} in respect of the ^{other} applicants, the order have

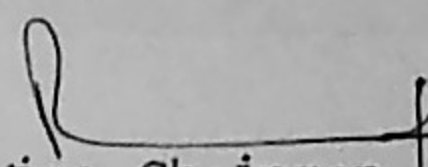
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been passed in Annexure^u 5A to 5J.

4. In these circumstances, it is difficult to say that the respondents have committed any contempt of this Court. ^uIf the respondents have ^{to be}considered the representation of the applicant, the same has ^uchallenged ^ua regular side. The application is rejected.

No order as to costs.


Member(A)


Vice-Chairman.

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No order as to costs.