

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH,
ALLAHABAD.

Dated: Allahabad, the 16th day of August, 2001.

Coram: Hon'ble Mr. S. Dayal, AM

Hon'ble Mr. S.K.I. Naqvi, JM

CIVIL CONTEMPT PETITION NO. 35 OF 2001

IN

O. A. NO. 196 OF 1993

Chhabi Nath,
son of Sri Buddhu Ram,
r/o village Bagera Khurd,
Post Kushana, District Mirzapur.

..... Applicant

(By Advocate: Sri C. P. Gupta)

Versus

1. Sri S.P. Mehta, General Manager,
Northern Railway, Baroda House,
New Delhi.

2. Sri Deepak Sablok,
Divisional Railway Manager (Engg)/DSE(C),
Northern Railway, Allahabad.

3. Sri Rajiv Ranjan Raju,
Assistant Engineer,
Northern Railway, Mirzapur.

.... Opp. Parties

(By Advocate: Sri A. K. Gaur)

O R D E R

(By Hon'ble Mr. S. Dayal, AM)

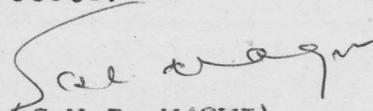
This Contempt Petition has been filed, alleging wilful disobedience of the directions given in OA No.196 of 1993 on 9.8.2000 for examining the case of the applicant about his working as Casual Gangman in the past and consider him for regular appointment on his turn in the light of the direction issued by General Manager, Northern Railway, in his letter dated 20.8.1987.

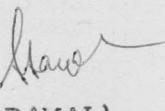
2. We find that the disobedience of the order has been mainly alleged on the ground that the Divisional Engineer, Northern Railway, Mirzapur had directed the Assistant Engineer (PQRS), Mirzapur to appoint the applicant as casual gangman in compliance of the order passed in an earlier O.A. We had called for the case papers of the earlier OA and seen the letter dated 26.7.1989 of the Divisional Engineer, Northern Railway, Mirzapur, in which it has wrongly been stated that the Central Administrative Tribunal had decided that the applicant should be taken back in employment. The directions of the Central Administrative Tribunal, Allahabad, in OA No.906 of 1998 and OA No.196 of 1993 are quite clear that the applicant ^{was to have} ~~had~~ been considered for regular employment in his turn. The Respondents in their counter reply have stated that the applicant had been informed by the letter dated 20-4-90 that no recruitment of casual labour has been done and no order has been passed by the General Manager for engaging casual labour. They have also claimed that they have informed the applicant that his name

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has been entered in the casual labour register at Sl. No. 168 and that he would be called for engagement in his turn.

3. We find that the Contempt Petition filed by the applicant makes no claim that any person junior to the applicant has been engaged. The contention is only that the order of the Tribunal had been deliberately disobeyed, because the applicant has not been considered for regular employment so far. We find that in terms of the Tribunal's order, no case for contempt has been made out. It is not established that the turn of the applicant for regular employment has come and the Contempt Petition is, therefore, dismissed and notices are discharged. No order as to costs.


(S.K.I. NAQVI)
MEMBER(J)


(S. DAYAL)
MEMBER(A)

Nath/208.