

(13)

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD.

Dated : This the 20th day of JANUARY 2004.

Contempt Application no. 229 of 2001  
in

Original Application no. 1317 of 1997.

Hon'ble Mr Justice S.R. Singh, Vice-Chairman  
Hon'ble Mr D.R. Tiwari, Administrative Member

Tilak Raj, S/o Sri Vishwanath Prasad,  
R/o E.W.S. 91-92, A.D.A. Colony, Preetam Nagar,  
Dhoomanganj,  
ALLAHABAD.

... Applicant

By Adv : Sri R. Verma

V E R S U S

1. Sri B.P. Singh, Assistant Commissioner of Income Tax,  
(Admin), Income Tax Building, 38, M.G. Marg,  
ALLAHABAD.
2. Shri Rajiva Dave, Commissioner of Income Tax,  
Allahabad, 38, MG Marg, Allahabad.

... Respondents

By Adv : Sri A. Sthalekar

O R D E R

Justice S.R. Singh, VC.

Heard Sri R. Verma, learned counsel for the  
applicant and Sri A. Sthalekar, learned counsel for the  
respondents.

2. The applicant had filed OA no. 1317 of 1997  
Tilak Raj Vs. Union of India & Ors challenging order  
dated 25.11.1997 by which his services were terminated.  
The said OA was allowed vide order dated 31.1.2001 in terms  
following orders :-

"For the reasons stated above, the OA is allowed.  
The order dated 25.11.1997 and order dated 4.12.1997

RAJ

...2/-

## 2.

are quashed. The respondents are directed to reinstate applicant with continuity in service. However, he shall not be entitled for backwages. It is further directed that applicant shall be considered for regularisation in terms of the OM dated 10.9.1993. This order shall be given effect within a period of three months from the date a copy of this order is filed. No order as to costs."

3. Instant contempt application has been instituted with the allegation that the above mentioned direction given by this Tribunal has not been complied with.

4. The respondent has filed suppl counter affidavit annexing thereto the copy of the order no 65 dated 16.1.2004 to Income Tax Commissioner, Allahabad, which shows that the applicant has been reinstated as Casual Labour (Temporary Status) with immediate effect. Earlier by order dated 07.11.2003 the applicant has been re-instated as daily wage employee. However, the said order appears to have been in the nature of an interim order pending final order. Order no. 65 dated 16.1.2004 (Ann SCA 1) is the final order, whereby the applicant has been reinstated as casual labour with temporary status with continuity as already restored by the order of this Tribunal.

5. In the circumstances, the contempt application has been rendered infructuous and is dismissed. Notice issued to the respondent is discharged.

*D. Deo*  
Member-A

*P.S.J*  
Vice-Chairman