

Open Court.

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH,  
ALLAHABAD.

...

Contempt Petition No. 276 of 2001

IN

original Application No. 53 of 1998

this the 31st day of May 2002,

HON'BLE MR. JUSTICE R.R.K. TRIVEDI, V.C.  
HON'BLE MR. S. DAYAL, MEMBER(A)

1. Niraj Yadav, S/o Sri Nikku Yadav, R/o Village Maupara, Post Office Kaveti, District Pratapgarh.
2. Ravi Shanker Misra, S/o Sri Manodutt Misra, R/o Village Kushil Deeh, Post Gotni, District Pratapgarh.
3. Makkhan Lal, S/o Ram Kumar, Both R/o Mau Para Post Karet, Distt. Pratapgarh.
4. Ram Chandra S/o Sri Ram Kumar, Pratapgarh.
5. Nagendra Prasad Pandey, S/o Sri Lalita Prasad, R/o Village Ram Bagh Chausa, District Pratapgarh.
6. Rakesh Kumar, S/o Sri Nanhey, R/o Maupara Post Gotni, District Pratapgarh.
7. Ram Pyare, S/o Sri Kedar, R/o Village Bulakipur, post Karet, Pratapgarh.
8. Manjoor Ali, S/o Sri Moharram Ali, R/o 185, Faithfulganj, Kanpur.
9. Chhedi Lal, S/o Sri Ram Swarup, R/o Bulakipar Post Karet, Pratapgarh.
10. Deo Narain Yadav, S/o Sri Nanda Lal, R/o Pure Bujju ka Purwa, Post Gotni, District Pratapgarh.
11. Mohd. Najish, S/o Mohd. Usaman, R/o Mau Para, Post Gotni, Pratapgarh.
12. Ram Naresh, S/o Sri Ram Bhajan, R/o Kushahil Bazar, Gotni, Pratapgarh.
13. Om Prakash Gupta, S/o Sri Kalka Prasad, R/o 155, Dr. Ambedkar Nagar, Naini, Allahabad.



14. Ajaj Ahemad, S/o Intigar Ahmad, R/o 384, C/6  
Sultanpur Bhawa, Allahabad.
15. Jahid Hussain, S/o Amir Hussain, R/o Saiyad  
Sarawan, Allahabad.
16. Madan Mohan, S/o Sri Santa Lal, R/o 62/67,  
Harvansh Mohal, Kanpur.
17. Raja Ram, S/o Sri Moti Lal, R/o Village Maudara,  
post Karanti, District Pratapgarh.
18. Ram Sundar, S/o Sri Radhey Shyam, R/o Sulempur  
Mirya, post Gotni, District Pratapgarh.
19. Ram Kumar, S/o Sri Baij Nath, R/o Village Bulaki-  
pur, post Karet, District Pratapgarh.
20. Mohd. Alim, S/o Mohd. Munir, R/o Kushahil Deeh,  
Gotni, District Pratapgarh.
21. Ram Dularey Maurya, S/o Sri Badhri Prasad,  
R/o Pabnah post Atarampur, Sorao, District Allah-  
abad.
22. Shiv Ram, S/o Ram Chandra, R/o Pingari, post  
Kanawan, District Pratapgarh.
23. Lalji Maurya, S/o Sri Badra Prasad, R/o Pabnah,  
Atarampur, District Allahabad.
24. Mahavir Alias Mahabali, S/o Sri Shiv Bhajan,  
R/o 83/3, Malik Ki Bagia, Shiv Katra Lal Bunglow,  
Kanpur.
25. Arjun Kumar, S/o Sri Moti Lal, R/o Mohaddi Nagar,  
Pratapgarh.
26. Sarfaraj Ahmad, S/o Sri Intajar Ahmad, R/o 384  
C/6, Sultanpur Bhawa, Allahabad.
27. Ajij Ahmad, S/o Sri Abdul Hakim, R/o Saiyad  
Sarawan, Kaushambi.
28. Ram Sahai, S/o Sri Mahadev, R/o Amilaha, post  
Gotni, Pratapgarh.
29. Raj Kumar, S/o Sri Munni Lal, R/o 22-E, Loco  
Colony, Area Club, Kanpur.

30. Kailash Nath, S/o Sri Shiv Balak Misra, R/o Village Mira, Post Gotni, Pratapgarh.
31. Ram Anjor, S/o Sri Siya Ram, R/o Village Baharauli, Post Lal Gopal Ganj, Parewa, District Pratapgarh.
32. Sartaj Ali, S/o Sri Sajjad Ali, R/o 125/3, Chandari, District Kanpur.
33. Ashoka Kumar, S/o Sri Baij Nath, R/o Bula ki pur, Post Kareti, Pratapgarh.
34. Ram Raj S/o Sri Bindeshwari Prasad, R/o Maudara, Post Kareti, Pratapgarh.
35. Shiv Shanker Tiwari, S/o Sri Amar Nath Tiwari, R/o Village Itahara, Post Itahara, District Bhadohi.
36. Shitla Prasad Misra, S/o Sri Rama Kant Misra, R/o Village & Post Leelapur Kala, Allahabad.
37. Rijwan Ahmad, S/o Sri Ilias Ahmad, R/o Bala Ki Pur, Post Kareti, Pratapgarh.
38. Rama Kant S/o Bhagauti Prasad, R/o Bala Ki Pur Post Kareti, Pratapgarh.
39. Amar Bahadur, S/o Sri Ram Kishore Yadav, R/o 196-B/3 C/A Naya Pura, Karaily, Allahabad.

Applicants.

By Advocate : Sri K.K. Misra.

Versus.

1. Sri Mathu John, D.R.M., N.R., Allahabad.
2. Sri Dasharath Lal, G.M., N.R., Baroda House, New Delhi.

Respondents.

By Advocate : Sri G.P. Agrawal.

O R D E R (ORAL)  
JUSTICE R.R.K. TRIVEDI, V.C.

By this application under Section 17 of the A.T. Act, 1985, the applicants have prayed to punish the respondents for committing contempt of this Tribunal

by wilfully disobeying the order dated 31.1.2001 passed in O.A. no. 53/98 and other connected O.As. The direction given by this Tribunal was as under :

"In the facts and circumstances, we consider it appropriate to direct the respondents to ascertain whether the applicants worked directly as railway employees intermittently and whether the contract system in parcel handling work has been abolished in all the Railway Stations except few Railway Stations in which applicants are working and decide the claim of the applicants by reasoned and speaking order on applicants submitting a representation within a period of 15 days.

The representation of the applicants, if made, will be decided within a period of three months from the date of receipt of copy of representation alongwith copy of this order. The O.As stand disposed of with the above directions."

2. In pursuance of the aforesaid directions of this Tribunal, it appears that notices were issued to ~~all~~ the applicants on 10.5.2001 asking them to submit the material to show that they worked on any post under the railways. In response to the notice, the applicants filed a representation dated 3.6.2001. In this representation though the applicants asserted that they had worked between 1984 and 1985 as class IVth employees. However, they have clearly stated that they do not possess any documents showing the engagement that they worked under the railways in any capacity. After receipt of this reply, an enquiry was conducted and it was found that there is no record pertaining the engagement of the applicants directly or indirectly in parcel Office, Allahabad. The enquiry report was submitted on 21.8.2001. Thereafter, the representation of the applicants has been rejected by order dated 28.9.2001, a copy of which has been filed as Annexure A-4. The finding recorded is that it has been established that none of the applicants directly or indirectly/ intermittently have ever worked as Railway Servant and the Railway administration has also not appointed any one of the applicants to work in the Parcel Office,

Allahabad and, therefore, there is no question of giving appointment. Thus, the representation of the applicants has been considered and decided and nothing is left to be decided in this Contempt petition. If the applicants are not satisfied <sup>with</sup> the decision taken by the respondents, the same <sup>may</sup> be challenged in the original side. The contempt petition is accordingly rejected and notices issued to the respondents are hereby discharged. <sup>No costs.</sup>



MEMBER (A)



V.C.

GIRISH/-