

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

Civil Misc. Contempt Petition No.158 of 2004.

Allahabad, this the 11th day of November, 2005.

Hon'ble Mr. A.K. Bhatnagar, Member-J

Hon'ble Mr. S.C. Chaube, Member-A

Rameshwar Singh,
Aged about 35 years,
S/o Late Ram Niwas Singh,
R/o Village Tripath,
Post Office Rupethe (Sadulpur)
District - Chandauli.

...Applicant.

(By Advocate : Shri R. S. Gupta)

Versus

1. Smt. Neelam Srivastava,
Chief Postmaster General,
U.P. Lucknow.
2. Sri Kamlesh Chandra,
Chief Post Master General,
Allahabad.
3. Sri Jiut ram,
Senior Superintendent of Post Offices,
Varansai East Division, Varanasi.

.....Respondents.

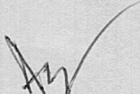
(By Advocate : Shri S. Singh)

ORDER

By Hon'ble Mr. A. K. Bhatnagar, J.M

Heard learned counsel for the parties at length.

2. This contempt petition has been filed for willful dis-obedience on the part of the respondents of the

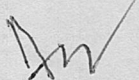


order dated 6.1.2003 passed in OA No.839/02 by which the following order was passed :-

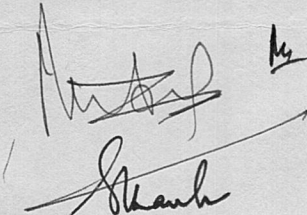
"In view of the categorically statement made by the applicant's counsel that applicant is willing to work on any post in Gramin Dak Seva, I think the given facts of case do require interference by the Tribunal. I, therefore, direct the respondents to offer any post to the applicant in Gramin Dak Seva for the time being, which the applicant undertakes to join within a stipulated period and in case any vacancy arises in Postal Assistant cadre he may be considered for same, keeping in view the fact that he has already been made undergo training for the said post. I am sure the respondents would pass an appropriate order in accordance with law and not get prejudiced because the applicant has approached the court."

3. This exercise was also directed to be completed within a period of three month. At this stage, Shri S. Singh, learned counsel for the respondents inviting our attention on para 4 of the Short counter affidavit-II filed on 25.5.2005 submitted that the order passed by this Tribunal in OA No.939/02 has already been complied with by giving appointment to the applicant to the post in GDS cadre vide SSPO's (E) Dn. Varanasi memo No.A-139/Ch.II dated 11.4.2005 under the approval of the C.P.M.G. U.P. Circle, Lucknow dated 4.3.2004. Photocopies of the above memos dated 11.4.2005 and 4.3.2005 are annexed alongwith short counter as Annexure-1 & 2 of the counter.

4. We have heard the learned counsel for the parties and gone through the short counter affidavit alongwith Annexure-1&2. We have also gone through second page of Annexure-1 i.e. declaration dated 11.4.2005 by which the applicant has given his willingness.



5. After hearing the counsel for the parties and from the perusal of the record available before us. We are of the considered view that the order passed in OA No.839/02 has duly been complied with and no case of contempt now survives. Accordingly, the contempt petition is dismissed and notices issued to the respondents are hereby discharged. However, liberty is granted to the applicant to come on the original side if he feels aggrieved and if so advised.


MEMBER-A
MEMBER-J

RKM