

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD

Contempt Petition No. 43 of 2005

In
Original Application No. 50 of 2005

Monday, this the 20th day of November, 2006.

Hon'ble Mr. K. Elango, Member (J)
Hon'ble Mr. M. Jayaraman, Member (A)

Ajai Singh, Aged about 35 years, S/o Sri Parashu Ram Singh R/o Village Faridpur, Odhan Ka Majara, District-Kaushambi (Allahabad) U.P.

By Advocate Shri Rakesh Verma

Applicant

Versus

Shri Radhey Shyam Jaiswal, Senior Superintendent of Post Offices, Allahabad Division, Allahabad-211001.

By Advocate Shri Saumitra Singh

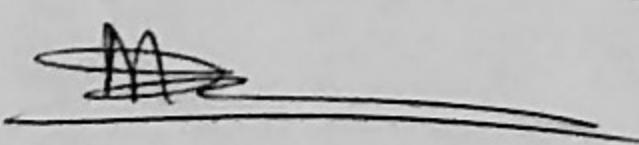
Respondent

ORDER

M. Jayaraman, Member (A)

Heard, Shri Rakesh Verma, Counsel for the applicant and Shri Saumitra Singh, Counsel for the respondent.

2. Counsel for the respondent submits that the Order of the Tribunal dated 18.01.2005 has been fully complied with by issue of two letters both of 20th December 2005. Counsel for the applicant disputes the same on the plea that applicant has not been effectively offered the appointment but in a manner of speaking the order has been complied illegally.



3. We have given careful consideration to the pleadings made by the rival sides.

4. By Order dated 18th January 2005 in O.A. No. 50 of 2002, this Tribunal had passed the following order vide paragraph no.4 extracted below: -

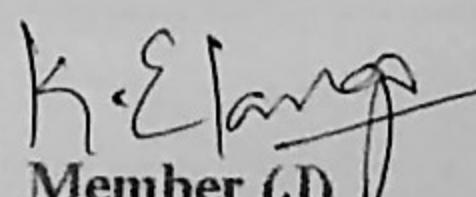
“4. In view of the foregoing conclusion the O.A. succeeds and is allowed. The appointment made in favour of 4th respondent is set aside and the respondents are directed to offer of appointment to the applicant subject to condition that he would provide suitable accommodation and place for running the post office within a reasonable period failing which it would be open to the competent authority to offer of appointment to the candidate next in order of merit. This exercise shall be completed within a period of 4 weeks from the date of receipt of a copy of this order.”

5. Accordingly, we find that the appointment made in favour of 4th respondent namely Adil Faridi has been withdrawn by the respondent by issuing first letter dated 20.12.2005 (annexure-1 'page 14' in Supplementary C.A., filed on 09.01.2006). The second portion of the Tribunal's Order has also been complied with by issue of letter-dated 20.12.2005 (annexure-2 page 14 of the above affidavit) addressed to the applicant. In these views of things, we find that the Tribunal's Order dated 18th January 2005 has been complied with and there is no cause for proceeding any further. Accordingly, we dismiss this contempt petition. Notice issued to the respondent is hereby discharged.



Member (A)

/M.M.J



Member (J)