

OPEN COURT

**CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD**

Civil Misc. Contempt Petition No.160 of 2005.

In

Original Application No.1398 of 2001.

Allahabad, this the 18th day of October, 2006.

Hon'ble Dr. G.C. Srivastava, Vice-Chairman
Hon'ble Mr. A.K. Bhatnagar, Member-J

1. Rajendra S/o Baleshwar R/o Village & Post Pipra
Vittal, District Deoria.
2. Manohar Lal s/o Chandra Bali R/o Village Aghaila
Post Noon Khar, District Deoria.

.....Applicant.

(By Advocate : Sri S.K. Mishra)

Versus

Pramod Kumar Srivastava
Divisional Railway Manager (Karmik)
Northern Eastern Railway Varanasi Division,
Varanasi.

.....Opp. Party

(By Advocate: Sri Anil Kumar)

ORDER

By Hon'ble Dr. G.C. Srivastava, Vice-Chairman

This contempt petition has been filed alleging that the respondent has not complied with the order passed by this Tribunal in OA No.1398/01 on 26.5.2004. The operative part of the order as follows:


"In view of the above, the contention of the limitation is rejected and this OA is partly allowed by giving direction to the respondents to re-consider the case of those applicants herein also whose particulars about working periods have been found to be correct on verification in the list dated

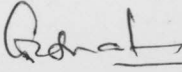


21/04/89 for regularization in accordance with the instructions available at the relevant time and subject to availability of vacancies. Respondents are further directed to take care that no fresh face or juniors to the applicants is given Preference over applicants for regularization."

2. The respondent in ^{this} ~~their~~ counter ^{has} denied the allegations and has submitted that ~~they~~ ^{has} ~~have~~ ^{fully} complied with the order passed by Tribunal. ~~They~~ ^{have} have stated in para 7 of the counter that in compliance of this Tribunal order, the applicants were called for screening on 19/10/2004 and after necessary formalities are completed as per rules process of regularization will be completed as and when necessity/vacancies arises. In view of this ~~prayer~~ ^{submission} categorically ^{made} by respondent, we find that the allegation of non compliance of the Tribunal's order is not substantiated.

3. In view of this, we are of the view, that no case of contempt is made out. Accordingly the contempt petition is dismissed. Notice is discharged.


Member (J)


Vice-Chairman

/RKM/