

OPEN COURT
CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH
ALLAHABAD

DATED: THE 11TH DAY OF AUGUST 1998

CORAM: HON'BLE MR. S.DAYAL, A.M.
HON'BLE MR. S.K.AGRawal, J.M.

C.C.A.No. 53/94
(Arising out of O.A.No.679 of 1992)

Om Prakash son of late Ganga Ram
R/o 7/12, Central Bank Ki Gali,
Ambedkar Nagar, Shuklaganj, Unnao.

..... Applicant

C/A Shri Shesh Kumar, Advocate

Versus

Rama Swami, General Manager,
Ordinance Equipment Factory,
Phoolbagh, Kannur.

..... Respondents

B/C Km. Sadhana Srivastava, Adv.

ORDER

BY HON'BLE MR. S.DAYAL, A.M.-

This is an application for drawing contempt proceedings against the opposite party for wilful disobedience of the directions issued by this Tribunal in O.A.No.679/92.

The Tribunal in its order dated 24.2.93 in O.A. No.679/92 had directed the respondents to consider the case of the applicant for appointment on compassionate ground subject to his fitness. The respondents were given three months for compliance of the order.

3. As no counter reply was filed in this case for quite some time order was passed on 3.6.98 ~~was passed~~ for personal appearance. In response to this learned counsel for the opposite party has submitted that no notice could be issued in this case when the opposite party was required to show cause as to why the contempt proceedings be not initiated. Record of this case shows that this appears to be correct and, therefore, the order regarding personal presence need not be complied with any more.

4. The learned counsel for the opposite parties has filed M.A.No.2455/98 in which she has submitted that the notice be discharged and the contempt proceedings be dropped as the judgment has been complied with. The opposite party in its counter affidavit filed on behalf of of the opposite party shows that the applicant was given appointment as sweeper vide order dated 6.6.94. There is no doubt a delay in reporting in compliance of the judgment but since the order and direction of the Tribunal have been substantially complied with, the case for contempt against the opposite party does not survive any more. Proceedings are dropped and the notices are discharged.


MEMBER (J)


MEMBER (A)