

C.C.A. 58/94

in

O.A.473/92.

iv 25.11.99.

Hon'ble Mr. L. Hmingiana, A.M.

Hon'ble Mr. Rafiq Uddin, J.M.

None for the applicant. The allegation in this contempt application is that the Opp. party committed contempt of the Tribunal by not complying with the direction given in the Tribunal's Order dated 9.2.93 in O.A. 375/92 and T.A. 241/86 and 17 other similar matters.

Notice has not been issued even though the contempt application is now six years old. *The order of the Tribunal is as follows:* Accordingly ~~the application is allowed~~ and the respondents are directed to ~~investigate~~ hold an enquiry into the matter associating the applicant with the same and in case no foul play on his part is found the applicant should not have been deprived of his appointment because someone has been found guilty. The enquiry should be completed within three months from the date of communication of this order. In case the entire examination has been cancelled and none of those who appeared in the examination got the appointment then the applicant will have no case of his appointment. But in case some appointments have been made and every case has to be decided on merits as indicated above, the enquiry about the applicant's case may be made within three months from the date of communication of this order. In case, some of the persons are required to appear in viva voce test and their written examination is accepted, but has not been cancelled they may appear in the Viva Voce examination. This is part of the selection itself and in case they succeed their result may be declared and they may be given appointment accordingly. The application stands disposed with these directions. No order as to costs."

The allegations made by the applicant are contained in paragraphs 8,9 and 10 of the C.C.P. and the compliance is dated 16.7.93 (Annexure A-1) Obviously the applicant is not satisfied with the outcome of the enquiry conducted by the O.P. in compliance of the order passed by the Tribunal and that is the main reason why he has filed the present C.C.P. There being some compliance and

the matter having become more than six
years old, there ^{is} no case for keeping the
C.C. Petition ~~aka~~ alive and the Civil
Contempt Petition is disposed of as such.

J.M.

W. B. Chave
A.M.

Nafees.