

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH,
ALLAHABAD

Dated : Allahabad this the 31st day of Oct., 1996.

Coram : Hon'ble Mr. S. Das Gupta, Member-A
Hon'ble Mr. T. L. Verma, Member-J

Contempt petition No. 92 of 1994

in

O A.No. 309 of 1992

Om PrakashApplicant.

Vs.

Union of India and others...Respondents.

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Om Prakash a/a 44 years, son of Sri Chottey Lal
resident of 76, Farigan, Jhansi.

.....Applicant

(THROUGH SRI R.K.NIGAM)

Versus

1. G.M.Pandey, General Manager,
Central Railway, Bombay, V.T.

2. V.K.Agarwal, Divisional Railway Manager,
Central Railway, Jhansi.

.....Opp.parties/
Containers.

(THROUGH SRI V.K.GOEL)

O R D E R (Oral)

(By Hon. Mr. S. Das Gupta, Member-A)

This application was filed alleging
non-compliance with the direction contained in
the order dated 28.4.1993 disposing of the O.A.
No. 307 of 1992 connected with O.A.No.309 of 1992.

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2. The operative portion of the order reads as follows :-

"Accordingly, the respondents are directed to fix a supplementary test for the applicant within a period of two months from the date of communication of this order and reinstate him. In case in the screening he is successful, he should also be absorbed, regularised like similarly placed other persons with effect from the date they have been regularised and absorbed, though notionally but actually within a period of two months after holding of the examination. Both these cases are disposed of with the directions given in O.A. 307/92 with no order as to costs."


3. The respondents have filed a counter-affidavit in which it has been stated that the applicant had already been screened for the purposes of permanent absorption in compliance with the direction of the Tribunal. It was also submitted that the result of the screening shall be declared as soon as the supplementary screening is held and completed and the applicant would be assigned due seniority position and shall be given all other benefits. The applicant did not file any rejoinder affidavit to this. Subsequently, a Supplementary Counter Affidavit has been filed by the respondents in which it has been stated that after regularisation of the applicant, his seniority has also been assigned with effect from 4.11.1988 i.e. the date on which his junior was assigned seniority. A photo copy of the order dated 30.7.1996 by which the applicant has

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been assigned seniority, has also been annexed to the Supplementary counter-affidavit. A copy of the Supplementary-Counter-Affidavit has also been served on the learned counsel for the applicant.

4. In view of the submissions made in the Supplementary-counter-Affidavit, we are satisfied that the respondents have substantially complied with the orders of the Tribunal. We see no reason to continue this contempt proceeding any more. The contempt proceedings are therefore, dropped and the notices issued are discharged.


MEMBER (J)


MEMBER (A)

Dt /- 31st Oct. 1996.

(pandey)