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CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH,
A_L_L_A_H_A_B_A_D

Dated : Allahabad this the 15th day of Nov.1996.

CORAM : Hon. Mr. S. Das Gupta, Member-A
Hon. Mr. T. L. Verma, Member-J

Misc. Application No. 2062 of 1995.

in

O.A.No.253 of 1992.

Vijendra Pandey son of Sri Jagannath Pandey,
resident of village Rawatpur, Pandey
Post Lar-road, District Deoria.....Applicant.

(C/A Sri V.K.Srivastava)

Versus

1. Union of India through its General Manager,
N.E. Railway, Gorakhpur.
2. Divisional Rail Manager, North Eastern Railway,
Lahartara Varanasi.
3. Station Superintendent, North Eastern Railway,
Chhurna Kutchurey, Chhupra,.....Respondents.

(C/R Sri V.K.GOEL)

O_R_D_E_R (Oral)

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

This misc. application was filed by
the applicant in O. A. No. 253 of 1992 under Rule
24 of the Central Administrative Tribunals
(Procedure) Rules, 1987 seeking a direction
to the respondents to give effect to the
Tribunal's order dated 13.4.1993 by which the
aforesaid O.A. was disposed of with certain

directions.

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2. It appears that the applicant had earlier filed O.A.No.253 of 1992 seeking a direction to the respondents not to terminate his services otherwise in accordance with law and also to regularise his services from the date his juniors were given regular appointment. By its order dated 13.4.1993 a bench of the Tribunal disposed of this O.A. with the following direction :-

"In any case, the applicant is entitled for re-engagement as he had attained temporary status, and he should be re-engaged with immediate effect by giving preference over juniors and outsiders."

3. The applicant subsequently filed a contempt application No.79 of 1994 alleging non-compliance with the aforesaid direction of the Tribunal. Although the said Contempt Application was filed well within the time limit prescribed in the contempt of Courts Act, the same was not listed before a Division Bench within the time prescribed and by the time it was listed, it was barred by limitation and hence the same was dismissed. Thereafter this Misc. Application has been filed by the applicant seeking compliance of the direction of the Tribunal.

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4. When the Misc. Application was filed, the respondents were given notice of the same and were directed to file objection, if any. Despite sufficient opportunity, the respondents have failed to file any objection. We, therefore, see no reason, not to pass appropriate orders on the said Misc. Application.

5. Rule 24 of the Central Administrative Tribunals (Procedure) Rules, 1987 reads as follows :-

"24. ORDERS AND DIRECTIONS IN CERTAIN CASES :-

The Tribunal may make such orders or give such directions as may be necessary or expedient to give effect to its orders or to prevent a use of its process or to secure the ends of justice."

6. It is clear from the aforesaid rule that a tribunal is competent to pass any order or give any direction which it considers necessary or expedient to give effect to its own orders. Since the applicant is alleging that direction of the Tribunal contained in order dated 13.4.93 has not so far been complied with, we consider it appropriate to issue a direction to the respondents

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to effect compliance within a period of two months from the date of communication of this order.

7. The misc. application is disposed of accordingly.


Member-J


Member-2

Dt/- 15.11.1996.

(Fandey)