

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD

Contempt Application No: 757 of 1993
In
Original Application No: 95 of 1992

Mahendra Kumar Applicants.

- Versus

Sri S.K.Chakravarty & ors Respondents.

Hon'ble Mr. A.K.Sinha, Member-J

Hon'ble Mr. V.K.Seth, Member-A


(By Hon'ble Mr. A.K.Sinha, J.M.)

Heard the learned counsel for the petitioner who has prayed for initiation of contempt proceeding against the opposite party for not complying with the Court's order passed in O.A. No: 95/92 (Mahendra Kumar Vs. Union of India & ors.).

2. The operative portion of the order of the Court dated October 16, 1992 is as follows:-

"Accordingly, the respondents are directed to reconsider the matter in case the applicant had worked 240 days and the persons who have worked for lesser days although the register has not been properly maintained, have been given appointment, the applicant's case shall also be considered for appointment and rather he will be given priority in preference to the persons who have worked for lesser days than that of applicant. It is desirable that a register be maintained of such persons who have worked every year so that their cases for preference in getting casual thereafter regular appointment be considered in preference to new comers."

3. The learned counsel for the applicant submitted that the applicant served the copy of the order dated 16.10.1992 along with his application dated 9.11.1992 to the respondents on 11.11.1992 with request to call and engage him



as per direction of the Court's order but, has not been complied with.

4. He therefore submitted that the contempt proceeding be initiated against the respondents.

5. We notice that vide Annexure-6 dated 11.3.93 the Accounts Officer of the respondent vide its letter dated 11.3.1993 directed the applicant to produce proof/details in support of his claim for having worked for more than 240 days in two successive years as Casual Labourer in this office so as to enable the office to consider his case for regularisation as per extant Rules. The letter on perusal would show that it was issued with reference to the order of Hon'ble C.A.T. dated 16.10.1992 and he was informed that his name has been entered in the attendance of the casual labour on the basis of 125 days of his working as per record of this office and he was directed to produce proof /details in respect of claim for having worked for more than 240 days. From the perusal of Annexure-6 quoted above, it is obviously clear that in pursuance of the judgement delivered by this Tribunal on 16.10.1992, the opposite party, respondents in compliance to the Court's order have already entered the name of the applicant in the Casual register as per attendance register maintained in their office for having worked for 125 days and he was directed to produce proof or details in support of having worked for more than 240 days in two successive dates as Casual Labourer. Therefore, the applicant should fulfil part of his duty by producing proof of the fact that he had worked for more than 240 days.

4.

6. Considering, therefore, these material facts available on the record, we are of the view that there ~~was~~ no violation of the Court's order as claimed by the applicant.

7. In the result, this application has got no merit and it is dismissed at the admission stage itself.

in ss

Member-A

Am Kumar Saha

Member-J

Allahabad Dated: 13.5.93

/jw/