

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH,
ALLAHABAD.

Dated: Allahabad, the 14th day of December, 2000

Coram: Hon'ble Mr. S. Dayal, A.M.

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

Civil Contempt Petition No.906 of 1993

In

Original Application No.686 of 1993

Shital Prasad Agarwal,
aged about 58 years,
son of late Sri Nanak Chand,
r/o village Khanjarpur, near
Central Building Research Institute
Colony, Roorkee.

(By Advocate Sri Sudhir Agarwal) Applicant

Versus

1. Dr.T.S.R. Prasadarao,
Director, C.B.R.I.(Additional Charge),
Roorkee.
2. S.C. Chauhan, Administrative Officer,
Central Building Research Institute,
Roorkee, U.P.
3. M.L. Dulla, Controller of Administration,
Central Building Research Institute,
Roorkee, U.P.

(By Advocate Sri L.M. Singh, Proxy counsel
for Sri Vinod Swarup Srivastava) Respondents

O R D E R

(OPEN COURT)

(By Hon'ble Mr. S. Dayal, AM)

This contempt petition was filed for punishing
the opposite parties for not declaring the result of the

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Trade Test held on 20.4.1993 and not complying with the order passed by the Tribunal on 28.4.1993 by issuing order dated 29.4.93/30.4.93.

2. We have heard Sri Sudhir Agarwal and Sri Lalmani Singh, brief holder of Sri Vinod Swarup Srivastava for the Respondents. By an order dated 29.4.1993 in O.A. No. 686 of 1993, a Division Bench of this Tribunal directed the Respondents to declare result of the Trade Test, which took place on 20.4.1993 and in case he was selected in the same, benefit of the same may be given to him.

3. We find from the reply filed by the Respondents that the Respondents had declared the result and had communicated the decision of the Respondents to the applicant by 30.4.1993 within a period allowed by the Tribunal.

4. It appears that the scheme for induction into the Technical side of Group-II services underwent a slight modification on 17.9.1992 by which the prior approval of Director General, CSIR was also included as a condition for induction of non-technical employees into the technical side. Therefore, a presumption cannot be drawn against the Respondents that they had deliberately disobeyed the order of the Tribunal passed on 28.4.1993 by passing the order dated 29/30th April, 1994. Hence, proceedings against the opposite parties are, therefore, dropped and the notices are discharged.

Rajinder
J.M.

A.M.

Nath/