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OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD

Allahabad, this the 12th day of October, 1999.

CIVIL CONTEMPT PETITION NO.45 OF 1994
(Arising out of O.A.No.43 of 1993)

CORAM : Hon'ble Mr.S.Dayal, Member (A)
Hon'ble Mr.Rafiq Uddin, Member (J)

Vinod Kumar Prasad & others. Applicants

(By Sri M.M.L.Srivastava & R.C.Srivastava, Adts.)

Versus

- 1.Sri N.N.Vohara,
Secretary, Ministry of Home Affairs,
New Delhi.
- 2.Sri A.R.Nanda, Registrar General and
Census Commissioner, Govt.of India,
Ministry of Home Affairs, 2-A Man Singh
Road, New Delhi.
- 3.Sri R.K.Singh, Director,
Census Operations, U.P.
52, Hazirahman Road,
Lucknow.

..... Opposite Parties

(By Shri Amit Sthalekar, Advocate)

O R D E R

(By Hon'ble Mr.S.Dayal, Member (A))

This contempt petition has been filed by 45
applicants against the opposite parties for proceedings
against the opposite parties for deliberate disobedience
of the order dated 12-3-93 of this Tribunal in original
application No.43 of 1993. A Division Bench of this

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Tribunal in O.A.No.43/93 connected with 17 other O.A.s directed the opposite parties that all the retrenched employees of census department who are still working and who are not covered by the High Court judgement of 1984 will be considered under the scheme for regularisation and absorption. It was also directed that the cases of the applicants were to be considered after the cases of 900 employees had been considered earlier. In counter reply filed by the opposite parties it has been mentioned that SLP was filed in the Apex Court against the judgement of this Tribunal dated 12-3-93 in original application No.43/93 alongwith bunch of other Original applications. The Apex Court had stayed the operation of order dated 12-3-93 by their order dated 2-3-94. Thereafter Apex Court pronounced their judgement in this case on 24-2-95. In the said judgement dated 24-2-95 the opposite parties were directed to consider the retrenched employees for direct recruitment to regular posts in the Directorate of Census Operation, U.P. in a manner stated in the judgement. It was also stipulated that the retrenched employees were to be considered only if they fulfilled all other norms laid down in connection with the posts in question under the recruitment rules and/or other departmental regulations/circulars on that behalf.

2. The order of the Tribunal gets merged in the order of the Apex Court dated 24-2-95 and if any rights arise, the applicants can move the Courts

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with regard to enforcement of those rights under the judgement of the Apex Court. No case for contempt of the order of this Tribunal in original application No.43/93 survives. The notice issued to the opposite parties is, therefore, discharged and the case for contempt is dismissed.

Rajiv Mehta
MEMBER (J)

[Signature]
MEMBER (A)

/satya/