

Open Court

Central Administrative Tribunal,
Allahabad Bench, Allahabad.

Dated Allahabad, This the 9th Day of December 1999

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

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

Civil Contempt Application No. 202/94

in

Original Application No. 825/94.

Dori Lal and others
(Through Sri R.P. Singh, Adv.) Petitioners.

Versus

1. Ram Bahori Lal Tiwari Superintending Engineer,
Central Water Commission Varanasi.
2. Ram Sumiran, Executive Engineer Central Water
Commission Ganga Division- II, 8 Faizabad Road
Lucknow.
(Through Sri N.B. Singh, Ad.) . . Respondents.

Order (Open Court)

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

This contempt petition has been filed
willful disobedience of order dated 24.5.94
of the Tribunal by which the respondents were
directed to maintain status quo in O.A. 825/94.

2. The respondents have filed the counter
affidavit in which they have annexed copy of
order dated 13.5.94. By this order the services
of applicant were terminated with effect from
13.5.94 Afternoon. It is the contention of the
learned counsel for the applicant that the
applicant continued to work even after 13.5.94.

The learned counsel for the applicant seeks to

rely upon Annexure-6 to his contempt petition for this purpose. Annexure 6 to the contempt Petition does not show presence of the applicant from 20th May 1994 onwards. The period before that from 17.5.94 is not very clear.

3. If we consider the Annexure of the applicant annexing the attendance roll for the month of May 1994, it is not established that the applicant was working from 20.5.94 onwards.

4. The O.A. has been finally decided and the order passed is by way of direction to the respondents to allow the applicant to assume duties and treat the period after 30.4.94 or the date of assumption of duties as period in service on notional for which no arrears are to be paid.

5. We have heard the learned counsel for the applicant Sri R.P. Singh and Sri Prashant Mathur who appeared as brief holder of Sri N.B. Singh for the respondents.

6. We find that the case for contempt is not established. The contempt petition is therefore dismissed. Notices issued are discharged.

Rafiquddin
Member (J.)

Am
Member (A.)

Nafes.