

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

Allahabad, this the 17th day of September, 2003

QUORUM : HON.MR.JUSTICE R.R.K.TRIVEDI, V.C.

HON. MR. D. R. TIWARI, A.M.

Civil Contempt Application No.57 of 1999

Raja Ram Shiv Hare S/o Duli Chandra R/o Village Balchaur,
Post Office Nanaura Via Shree Nagar, District Mahoba.

.....Applicant.

Counsel for applicant : Shri K.K.Mishra.

Versus

1. Sri D.K.Sharma, The Superintending Engineer, Jal
Vigyaniya Prekshan, Parimandal, C-130, Sector-19 Noida,
District Ghaziabad.
2. Sri R.K.Pachauri, the Executive Engineer, Central Water
Commission, Lower Yamuna Mandal, Avas Vikas Colony,
Sikandra, Qr.No.404-409, Near Central Jail, Agra.

.....Respondents.

Counsel for respondents : Sri M.B.Singh

and

Original Application No.654 of 1999

1. Raja Ram Shiv Hare son of Duli Chand
r/o Village Balchaur, Post Office Nanaura,
Via Shree Nagar, District - Mahoba.
2. Garib Chandra Son of Lalta Prasad
r/o Village and Post Office Bhuragarh,
District Banda.

.....Applicants.

Counsel for applicant : Shri K.K.Mishra



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Versus

1. Union of India through its Secretary,
Ministry of Water Resources, New Delhi.
2. Supertending Engineer, Jal Vigyaniprekshan,
Parimandal, C-130, Sector-19 NOIDA,
District - Ghaziabad.
3. Executive Engineer, Central Water Commission,
Lower Yamuna Mandal, Avas Vikas Colony, Sikandra,
Quarter No.404-409 near Central Jail, Agra.

.....Respondents.

Counsel for respondents : Shri M.B.Singh

O R D E R

BY HON.MR.JUSTICE R.R.K. TRIVEDI, V.C.

By this application filed under section 17 of A.T. Act, 1985, applicant has prayed to punish respondents for wilful disobedience of the interim order dated 2.6.99 passed in OA No.654/99. The interim order passed by this Tribunal was, that 'respondents were directed to consider the case of the applicant in case he approached them for engagement during the year 1999 as seasonal Khalasi in case the applicant fulfills the requirement and his past services have been satisfactory.'

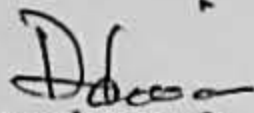
2. It appears that the applicant along with several others had also filed OA No.1033/98. In the aforesaid O.A., he was applicant No.5. The O.A. was disposed of finally on 8.5.2000 with a direction to the respondents to decide the representations. In pursuance of the aforesaid order, the representations of the applicants was considered and rejected by order dated 17.6.2000 a copy of which has been filed as SCA-1. Against the order dated 17.6.2000 passed by the Executive Engineer, applicant along with others has filed writ petition which is pending before Hon'ble High Court. As the applicant filed another

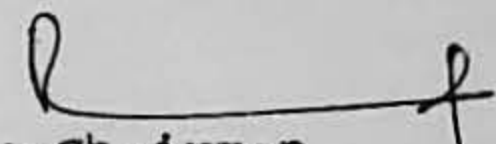
..... 3.



O.A. claiming regularisation, which has been decided on merit, in our opinion, the O.A. is liable to be dismissed as it has become infructuous.

3. The O.A. is accordingly dismissed. The interim order dated 2.6.1999 stands dissolved. In view of this there is no question for punishing the respondents for committing contempt. This contempt application is rejected. Notices are discharged. The applicant may pursue remedy before Hon'ble High Court.


Member-A


Vice-Chairman

Asthana/