

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

ALLAHABAD

CIVIL CONTEMPT PETITION NUMBER 78 OF 1999

IN

ORIGINAL APPLICATION NUMBER 801 OF 1998

TUESDAY, THIS THE 1st DAY OF OCTOBER, 2002

HON'BLE MR. S. DAYAL, MEMBER (A)

HON'BLE MRS. MEERA CHHIBBER, MEMBER (J)

Ram Briksham son of Shri Salik,
Transmission Asstt. Telephone Exchange-Moth,
District-Jhansi.

.....Applicant

Counsel for the applicant Shri N.A. Khan

V E R S U S

Shri Shabbir Ahmad,
Chief General Manager,
Tele Communication,
U.P. (East) Circle,
Hazratganj,
Lucknow (U.P.)

.....Respondent

Counsel for the respondents Shri A. Sthalaker

O R D E R

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

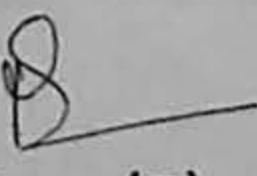
This Contempt Petition has been filed for the
deliberate disobedience of direction in order dated
20.08.1999 by which the respondents were directed to
depute the applicant for training of J.T.O. and
allow the promotion to the post of J.T.O. based on
result in training.

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2. There was a controversy in this case as to whether the applicant who had come on request under para 38 of P.&T. Manual Volume-4 at his own cost and the Punjab Telecom Circle were insisting of a declaration from the applicant under para-38 of P.&T. Manual Volume-4, before he could be accepted as J.T.O. in Punjab Telecom Circle. The Punjab Telecom Circle by their letter dated 10.10.2001 addressed to Chief General Manager, U.P. East Circle stating that Punjab Telecom Circle was ready to post as J.T.O. in Punjab after completion of training at Regional Telecom Training Centre Patna for which he was relieved on 13.01.2001 without the applicant giving an application for transfer under para-38 of P.&T. Manual Volume-4. The applicant thereafter accepted his transfer to Punjab Circle if he was given promotion as J.T.O. Order dated 18.09.2002 has been passed by Chief General Manager, U.P. East Circle, Lucknow.

3. The learned counsel for the respondents mentions that now there is no insistence on the part of the respondents to transfer the applicant under para-38 of P.&T. Manual Volume-4 and that the transfer is not in terms of the said paragraph. The applicant would be entitled to a transfer in public interest.

4. In view of this position now the Contempt proceedings did not survive and therefore dropped. Notices issued are discharged.


Member (J)


Member (A)