

CENTRAL ADMINISTRATIVE TRIBUNAL ALIA HBAD BENCH

ALLAHABAD.

Allahabad this the 19th day of March 2001.

Contempt Application no. 31 of 2000

in

Original Application no. 1188 of 1994.

Hon'ble Mr. Rafiq Uddin, JM

Hon'ble Maj Gen KK Srivastava, AM

Dinesh Sharma,

s/o B.D. Sharma,

R/o Village Baira Khas, P.O.,

Laxman Patti, Gyanpur,

SANT RAVIDAS NAGAR.

... Applicant

C/A Sri H.S. Srivastava

Versus

1. Sri V.K. Jyoti, Secretary,
Central Water Commission,
Sewa Bhawan, R.K. Puram,
NEW DELHI.

2. Sri Ram Dhani Singh Yadav,
Executive Engineer, Madhya Ganga Mandal - 3,
Central Water Commission, Akashdeep,
Pannal Park,
VARANASI.

... Respondents

C/Rs Sri D.S. Shukla

...2/

Rv

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O R D E R (Oral)

Hon'ble Mr. Rafiq Uddin, Member-J.

This contempt petition has been filed by the petitioner for punishing the respondents for alleged non-compliance of the order dated 10.12.1999 passed by this Tribunal in OA 1188 of 1994. The operative part of the order in question is as under :-

"Therefore, we are of the considered view that the name of the applicant should be placed in the seniority list prepared for regularisation of casual labour and not in the seniority list prepared for seasonal workers. The O.A. is allowed. The applicant should be regularised with all consequential benefits within a period of 3 months from the date of communication of this order."

2. The respondents in their counter affidavit filed by Sri R.D.S. Yadav, Executive Engineer, Middle Ganga Division -III, Central Water Commission, Akash Deep, Varanasi has stated that the name of the applicant has been placed in the seniority list of casual labour, copy of seniority list is already attached as annexure CA. In the Suppl. Affidavit filed by Sri R.D.S. Yadav dated 18.03.2001. It has been clearly stated that the applicant has been appointed on the post of Khalasi vide order dated 16.03.01, copy of which has been annexed as annexure 1 to this Suppl. affidavit.

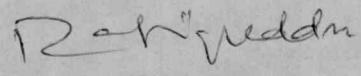
3. Heard learned counsel for the rival contesting parties and perused the record.

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4. Since the name of the applicant has been duly placed in the seniority list of casual labour at sl. no. 3 in which interalia the first working day of the year in which the applicant has been completed 240 days i.e. on 05.01.1985 is also mentioned. The appointment order dated 16.03.2000 also indicates that the applicant has been appointed as Khalasi in the pay scale of Rs. 2550-3200. Learned counsel for the applicant contended that a fresh appointment letter has been issued instead of issuing the regularisation order of the applicant. Therefore, the respondents have not complied with the order in question.

5. We do not find force in this arguments because in the seniority list the details of working days and seniority of the applicant is duly mentioned. Therefore, in case there is some mistake in the seniority of the applicant, he may challenge his seniority list for redressal. We, ~~are~~ however satisfied that the respondents have complied with the order in substance and the contempt petition is dropped. Notices issued to the respondents are discharged.


Member-A


Member-J

/pc/