

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH,
ALLAHABAD.

Dated: Allahabad, the 6th day of June, 2001.

Coram: Hon'ble Mr. S. Dayal, AM
Hon'ble Mr. Rafiq Uddin, JM

CIVIL MISC. CONTEMPT APPLICATION NO. 87 OF 2000

Awadhesh Kumar Tiwari,
son of Sri Ram Narain Tiwari,
r/o village & post Nahwai,
District Allahabad.

..... Applicant

(By Advocate: Sri K.C. Sinha)

Versus

Sri Sanjeev Ranjan,
Senior Superintendent of Post Office,
Allahabad (U.P.).
(By Advocate: Sri D.S. Shukla)

Contemners

In

ORIGINAL APPLICATION NO. 911 OF 1995

Awadhesh Kumar Tiwari Petitioner

Versus

Union of India Respondents
and others.

O_R_D_E_R_ (ORAL)

(By Hon'ble Mr. S. Dayal, AM)

This application has been filed for proceeding
against the Respondents in OA No.911 of 1995.

2. By order in the said OA, the Respondents
were directed to re-examine the matter and to make
selection from amongst the candidates already
sponsored by the Employment Exchange in the light
of observations contained in earlier paragraphs.

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3. We have heard Sri Ashish Srivastava and Sri D.S. Shukla for the Respondents.

4. The learned counsel for the applicant has stated that besides the order of the Tribunal in O.A. No.911/95, there is an order of the High Court in Civil Misc. Writ Petition No.17822 of 2000, which confirmed the order passed by the Tribunal. Hence, what is involved here is whether the order of the Tribunal had been disobeyed or not?

5. The Respondents have stated in their counter reply that the Department had initiated proceedings for appointment for the said post as per rules on the basis of the directions given by the Tribunal and the High Court and after receipt of verification report from civil authorities and Senior Superintendent of Police, the applicant has been given appointment. The applicant is stated to have joined the post and stated to be working on the same.

6. The order of the Tribunal is dated 3.4.2000 and the compliance is reported in the counter reply filed on 26.3.2001. Although there was no period specified in the direction given in the O.A., a period of six months is considered to be reasonable and the order has been passed beyond this period. Thus, there is an element of delay, but the same does not lead to the conclusion that the Respondents had deliberately disobeyed the order of this Tribunal. The Contempt Petition is, therefore, dismissed and the notices issued to the Respondents discharged.

Rafiq Uddin
(RAFIQ UDDIN)
JUDICIAL MEMBER

S. Dayal
(S. DAYAL)
MEMBER (A)

Nath/