

(3)

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 22nd DAY OF FEBRUARY, 2001

Contempt Application No.104 of 2000

In

Original Application No. 108 of 2000

CORAM:

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

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

Anupam Srivastava, Son of
Shri S.C.Srivastava,R/o House
No.1066-B,Baba Ji Ka Bagh,
Balua Ghat Road,
Allahabad.

... Applicant

(By Adv: Shri Yogesh Agarwal)

Versus

Shri lalit Krishna,Son of
Shri G.K.Agrawal,presently
posted as Director, Small Industries
Service Institute,Naini, Allahabad.

... Opp.party

O R D E R(Oral)

JUSTICE R.R.K.TRIVEDI,

Supplementary affidavit has been filed. We have heard Shri R.K.Dubey holding brief of Shri Yogesh Agarwal learned counsel for the applicant.

By this application the applicant has prayed for initiating contempt proceedings against the respondents for not complying with the order of this Tribunal dated 11.7.2000 passed in OA No.108/2000. The order was to the following effect:

"For the reasons stated above,we dispose of this application with the direction that order dated 12.1.2000(Annexure 1 to the petition) shall remain valid only till the freeze against regular appointment is continued by the Government. In other words, the applicant

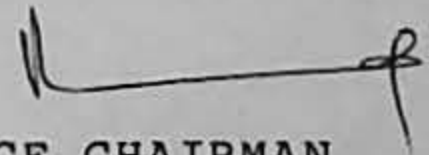
shall be entitled to be reinstated on the post from the day, the freeze against the regular appointment is lifted by the Government. There will be no order as to costs."

The learned counsel for the applicant has submitted that freeze has been lifted and the respondents have ~~not~~ deliberately ~~been~~ giving effect to order of this Tribunal. The applicant has represented to the Director, Small Industries on 25.7.2000. It appears that no order has been passed on this representation. In these circumstances at this stage it is difficult to say that any contempt has been committed. The learned counsel for the applicant has filed supplementary affidavit annexing therewith the three advertisements inviting applications for the post^{of} Driver^s in three different departments which prima facie, shows that the freeze against the Drivers has been lifted.

In the circumstances, we dispose of this application with the direction to the respondents, Director Small Industries to consider and decide the representation of the applicant by a reasoned order within a month. However, we do not find any case for contempt.

Subject to the aforesaid this contempt application is disposed of.


MEMBER(A)


VICE CHAIRMAN

Dated: 22.2.2001

/Uv/