

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

CIVIL CONTEMPT PETITION NUMBER 171 OF 2002

ALLAHABAD, THIS THE 15th DAY OF DECEMBER, 2003

HON'BLE MR. JUSTICE S.R. SINGH, V.C
HON'BLE MR. D. R. TIWARI, A.M.

U.S. Sharma son of Sri Shiv Prasad Sharma,
resident of 26-E/5R/3A, Chak Niratul,
P.O. G.T.B. Nagar,
District-Allahabad.

.....Applicant

(By Advocate : Shri C. P. Gupta)

V E R S U S

1. Shri R.K. Singh, General Manager,
Northern Railway Headquarters Office,
Baroda House, New Delhi.
2. Shri Mathew Jhon,
Divisional Railway Manager,
Northern Railway, Nawab Yusuf Road,
Allahabad.
3. Shri Gopal Singh
Sr. Divisional Electrical Engineer/General,
Northern Railway, D.R.M.,
Nawab Yusuf Road, Allahabad.
4. Shri Ganga Prasad,
Divisional Personnel Officer,
Northern Railway, D.R.M. Office,
Allahabad.

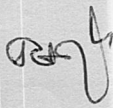
.....Respondents

(By Advocate : Shri A.C. Mishra -Absent)

O R D E R

By Hon'ble Mr. Justice S.R. Singh, V.C.

Heard counsel for the applicant. None appears for the respondents. This Contempt Petition has been filed on the premises that the order dated 07.08.2001 passed by this

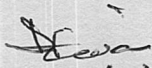


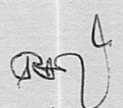
Tribunal in O.A. No.957 of 1999 has not been complied with.

Non-compliance is, ~~it~~ it is alleged, being wilful and deliberate is tantamount to contempt of court.

2. The Tribunal by its order dated 07.08.2001 disposed of the application with the observation that the applicant would contact the competent authority in the respondents establishment with all evidence available with him to show that he had worked earlier and the respondents, it is provided, after due screening from the relevant record would provide the applicant with benefits as per his entitlement and admissibility under rule and directions.

3. The applicant, it appears preferred a representation, which has been disposed of by the competent authority vide order dated 22.01.2002 (Annexure-11). A perusal of the said order would indicate that the case of the applicant was considered and examined on the basis of the record and it was found that neither any non working casual labour junior to the applicant, it was screened/impanelled for re-engagement in electrical department of the concerned unit nor any non working casual labour was being reengagement from Live Casual Labour Register at present. The case of the applicant, it has been further provided, in the said order, would be considered on his turn according to the number of working days in future ^{upon} ~~if~~ occurrence of vacancies. If the petitioner is aggrieved by the said order, he ought to have instituted the O.A. against the said order. The Contempt Petition, in our opinion, is misconceived. The same is accordingly dismissed. Notice if any is discharged.


Member (A)


Vice-Chairman

shukla/-