

Open Court.

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH,

ALLAHABAD.

...

Contempt Petition No. 229 of 2002

IN

original Application No. 1360 of 1994.

this the 12th day of January, 2005.

HON'BLE MR. JUSTICE S.R. SINGH, VICE CHAIRMAN
HON'BLE MR. S.C. CHAUBE, MEMBER(A)

Vinod Kumar Jaiswal, S/o Sri Virendra Kumar Jaiswal,
84 P.B. Kydganj, Allahabad.

Applicant.

By Advocate : In person.

Versus.

1. Sri Shailendra Pandey, S/o Sri Anirudh Pandey,
principal Accountant General, U.P., Allahabad.
2. Sri Parag Prakash, A.G. (Accounts & Establishment-I)
U.P., Allahabad.

Respondents.

By Advocate : Sri S. Chautvedi.

O R D E R

BY JUSTICE S.R. SINGH, V.C.

The O.A. no. 1360 of 1994 was instituted by the applicant against Union of India through the Controller & Auditor General of India, New Delhi and the Principal Accountant General, U.P., Allahabad for redressal of his grievance in respect of his seniority. The said O.A. was accordingly disposed of with a direction to the respondent no. 2 namely Principal Accountant General, U.P., Allahabad, to include the name of the applicant also in the seniority list maintained under order dated 8.2.1991 passed by this Tribunal in O.A. no. 37/91 if his name has already not been included. The applicant shall be entitled for other benefits on the same terms and conditions as provided in the order. No order as

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to costs. The operative part of the order dated 8.2.1991 passed in O.A. no. 37 of 1991, as quoted by the Tribunal in its order dated 28.11.2001, reads as under :

" In the result, we direct the respondents authority i.e. A.G. U.P., Allahabad to maintain a seniority list of the applicants as well as others according to the number of days they have been employed as daily rated casual workers and engage them subject to the observations made above in the body of the judgment in future vacancies as and when necessity arises for engagement of daily rated casual workers. The petition is disposed of accordingly with no order as to costs."

2. The present contempt petition has been instituted against the respondents for wilful disobedience of the aforestated directions of this Tribunal dated 28.11.2001.

3. Para 11 of the affidavit filed by Sri Onkar Nath, Accountant General (A & E)-II, U.P., Allahabad reads as under:

"11. That after dismissal of the review petition filed by the respondents-Department, the respondents-Department has complied with the judgment of this Hon'ble Tribunal dated 28.11.2001 and has included the name of the applicant in the seniority list as per directions given by this Hon'ble Tribunal vide judgment dated 28.11.2001. A letter dated 12.7.2004 in this regard has also been issued by the respondents-Department"

4. Sri Pankaj Srivastava holding brief of Sri Satish Chaturvedi, learned counsel for the respondents states that the name of the applicant has been included in the seniority list of Live Casual Labour Register and his name has ~~been~~ ^{is senior} figured at sl. no. 73 ~~therein~~, as prepared pursuant to the directions given by this Tribunal. He is directed to supply a copy of the amended seniority list to the applicant within a period of 15 days from today. Counsel for the respondents further states that the applicant has been re-engaged and ~~he~~ has been getting his emoluments regularly.

4. In the circumstances, therefore, we are not persuaded to pursue the contempt petition any longer.

26

The Contempt petition is accordingly dismissed. Notices issued to the respondents are hereby discharged.

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MEMBER (A)

R&J
VICE CHAIRMAN

GIRISH/-