

3.2.2003

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

HON.MAJ.GEN.K.K.SRIVASTAVA, MEMBER(A)

List has been revised. None is present for the applicant.

By this application applicant has prayed to punish respondents for committing contempt of this Tribunal by willful disobedience of the order dated 8.5.01 passed in OA 147/2000. The aforesaid order was challenged by respondents before Hon'ble High court by filing writ petition no.42213/01. The writ petition was dismissed by order dated 12.12.01. Copy of the order has been filed as(Annexure 2). The direction of this Tribunal thus has become final, which is being reproduced below:-

"In view of the above, we direct the respondents to consider the applicant as eligible in the EDCE for the post of PWS as and when it is held and to be considered for promotion from the date of his juniors if he is successful. We find that the relief claimed by the applicant for being allowed to appear in February 2000 has become infructuous as the examination has already been held in February 2000.

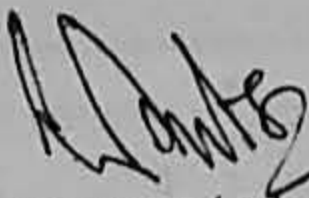
The OA stands disposed of as above with no order as to costs."


We have perused the OA. The applicant has not stated anywhere that respondents have held Limited Departmental Competitive examination for promotion to the post of PWS and the applicant has been denied the chance. He simply has said that he intimated the respondents about the order but no action has been taken. In our opinion, ^{as} the direction by this Tribunal is, to provide opportunity to the applicant to participate in LDCE as and when it is held, ⁱⁿ the

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circumstances, no contempt is made out.

The application is accordingly rejected. No order
as to costs.


MEMBER(A)


VICE CHAIRMAN

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