

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

Allahabad this the 10th day of September, 2002.
CIVIL MISC. CONTEMPT PETITION NO. 34 OF 2002

IN

ORIGINAL APPLICATION NO. 1730 of 1994

HON'BLE MR. GEN K.K. SRIVASTAVA, MEMBER (A)
HON'BLE MR. A.K. BHATNAGAR, MEMBER (J)

1. Raj Kishore Pandey S/o Late Shri
Ram Samoj Pandey R/o Village and
Post Office Jigni Buzurg Viarwa,
Bazar, District-Gorakhpur.
2. Shiv Murat Yadav S/o Sri Vishwa
Nath Yadav, R/o Village and
Post Office, Dhakhawa Bazaar,
District-Gorakhpur. Applicants

(By Advocate Shri R.N. Tripathi)

Versus

1. Sri R. Ganeshan
Chief Post Master General,
U.P. At Lucknow.
2. A. Khan Senior Supreintendent
of Post Officers, Gorakhpur
Division, Gorakhpur.
3. Assistant Superintendent of Post
Office Central Division, Gorakhpur.
4. Sardar Singh Sub Divisional Inspector,
Post Office Sub Division Orwa Bazaar.

.... Respondents

(By Advocate Shri S. Chaturvedi)

O R D E R

BY HON'BLE MR. GEN K. K. SRIVASTAVA, MEMBER (A)

In this contempt application, the applicants
have prayed for punishing the respondents for wilful
dis-obedience of the order of this Tribunal dated
20.03.01 passed in O.A. No.173/94. The order of this
Tribunal passed on 20.03.01 reads as under:-

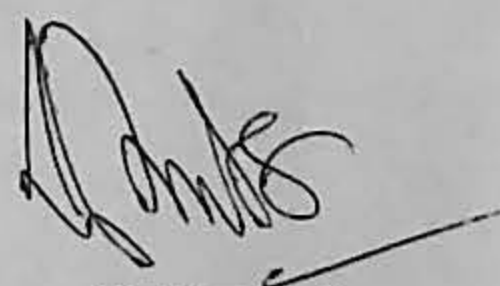
"The services of the applicants were terminated
merely because certain regular incumbents joined
their posts on which the applicants were working

and the applicants have been continuously working for almost 2 years without any complaint and to the satisfaction of the respondents. We provide that, in case any vacancy of C.P. Chowkidar is available within the jurisdiction of respondents or any vacancy falls in future, the case of the applicants will be considered on priority basis and no other junior persons will be considered on the said post by the respondents. The O.A. is disposed of with these directions. No order as to costs."

2. In compliance to the order of this Tribunal the applicant No.2 was appointed as Chowkidar in Arogya Mandir, Sub-Post Office on 21.06.01. The applicant has challenged the judgement of this Tribunal before Hon'ble High Court by a writ petition No.27500/01 which is still pending before the Hon'ble High Court, Allahabad. The learned counsel for the applicant invited our attention to para 17 of the contempt application wherein it has been averred that the applicant No.2 inspite of the fact that he was engaged in June, 2001, has not been paid any salary. If that be so the applicant should agitate for the same before competent authority.

3. The applicant was appointed as Chowkidar in persuance of this Tribunals order dated 20.03.01, ^{the} ^{the} order of this Tribunal has been complied with. The applicant has himself challenged the Tribunals order dated 20.03.01 before the Hon'ble High Court, Allahabad, through writ petition No.27500/01 which is still pending. In our opinion, no case of contempt is made out. The contempt application is rejected. Notices are discharged.


Member-J


Member-A

10.9.2002

/Neelam/