

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Contempt Application No. 111 of 2003

In

Original Application No. 171 of 2003

Allahabad this the 26th day of April, 2004

Hon'ble Mr. Justice S.R. Singh, Vice Chairman
Hon'ble Mr. D.R. Tiwari, Member I A I

Ramashray Yadav, Son of Late Sri Ram Daras Yadav, Resident
of Village and Post Kawai Pahanpur, District Chandauli.

Applicant

By Advocates Shri C.B. Yadav
Shri B.N. Singh

Versus

1. Har Govind Verma, Sub Divisional Inspector, East Division, Chandauli.
2. Juit Ram, The Senior Supdt. of Post Offices, East Division, Varanasi.

By Advocate Shri Manoj Kumar

Respondents

O R D E R (O.A.1)

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

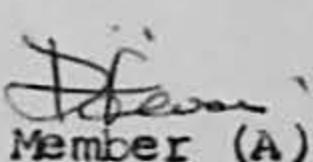
This contempt application has been instituted by the applicant alleging that the respondents have wilfully and deliberately not complied with the direction given by the Tribunal vide order dated 26.02.2003 in O.A.No. 171 of 2003.

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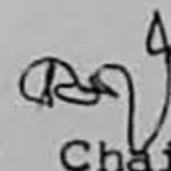
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2. The said O.A. was instituted against the order dated 03.12.2002 whereby appointment of the applicant as a substitute, had been terminated. It is not disputed that the applicant was appointed as a substitute in place of one Dina Nath Prasad who was working as Extra Departmental Runner (for short E.D.R.), Hetampur Branch Post Office w.e.f. 29.10.2001. The order dated 03.12.2002 whereby applicant's appointment as a substitute was terminated, came to quashed by the Tribunal vide order dated 26.02.2003 coupled with the direction to Sub Divisional Inspector, East Division, Chandauli, to appoint the applicant on the post of E.D.R. Hetampur immediately. The applicant, it was provided in the order, would continue on the post till regular appointment was made and he would also be entitled for wages from 03.12.2002 to the date of reinstatement. Copy of the order was served on the respondents on 17.03.2003. In the meantime Shri Dina Nath Prasad who had engaged the applicant as a substitute, himself joined the post at Hetampur on 06.03.2003. In the circumstances, the question of appointing the applicant on the post of E.D.R., Hetampur did not arise. The applicant, it is conceded, has received his emoluments for the period he worked as a substitute in place of Shri Dina Nath Prasad. Shri Dina Nath Prasad, it is observed, was earlier transferred to Marufpur from where he was again transferred to Hetampur on 06.03.2003.

3. In the facts and circumstances of the case, we are of the view that no case for contempt is made out. Accordingly, contempt application is dismissed. Notice issued to respondents, are discharged. No order as to costs.


Member (A)

/M.M./


Vice Chairman