

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD

Civil Misc. Contempt Application No. 10 of 2006  
In  
Original Application No. 938 of 2002

Dated this the 20<sup>th</sup> day of July, 2006

Hon'ble Mr. A.K. Bhatnagar, Member (J)  
Hon'ble Mr. P.K. Chatterji, Member (A)

Devi Prasad Vishwakarma, S/o Late Ram Phar Vishwarkarma, R/o Vill.  
Tarawan, Post-Danganj, Distt. Varanasi.

Applicant

{By Advocates S/Shri B.K. Pandey }

Versus

1. Sri Ashutosh Tripathi, Post Master General, Allahabad Region, Allahabad.
2. Riju Ganguli, Senior Superintendent of Post Offices, East Division, Varanasi.

Opposite Parties

{By Advocate Sri Saumitra Singh }

ORDER

Hon'ble Mr. A.K. Bhatnagar, Member (J)

This contempt petition has been filed for non-compliance of the direction passed on 01.09.2005 in O.A. No. 938 of 2002 by which the following order was passed: -

"This order may be complied with within a period of 04 months subject, of course, to the availability of vacancy. In case no vacancy is available within this period, the applicant should be suitably informed as to probable date by which the vacancy would arise and he be appointed."

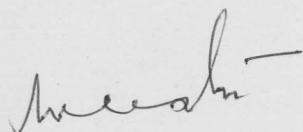
2. Learned counsel for the respondents filed an affidavit of compliance alongwith M.A. No.2267 of 2006 regarding compliance of

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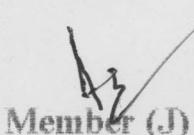
the order dated 01.09.2005 passed in O.A. No.938 of 2002. Learned counsel for the respondents invited our attention on paragraph no.3 of the said affidavit of compliance and submitted that as stated in paragraph no.3 of the affidavit, the applicant Shri Devi Prasad Vishwakarma has been appointed vide Memo dated 25.02.2006 in the cadre of Postal Assistant in the pay scale of Rs.4000-6000 with the approval of Chief Post Master General. The approval of Chief Post Master General as well as appointment letter of the applicant has been annexed as annexure-1 and 2 along with the affidavit.

3. We have heard the counsel for the respondents and have perused the contents of paragraph no.3 of Affidavit of Compliance as well as annexure-1 and annexure-2 of the affidavit.

4. In view of the statement given by the counsel and after perusal of annexure-1 and 2 filed along with Affidavit of Compliance, we are satisfied that due compliance of the Order dated 01.09.2005 passed in O.A. No.938 of 2002 has been made. Accordingly, Contempt Application is dismissed and notices issued to the respondents are discharged.



Member (A)



✓  
Member (J)

/M.M./