

OPEN COURT

**CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH  
ALLAHABAD**

(THIS THE 11<sup>th</sup> DAY OF MARCH, 2010)

PRESENT:

HON'BLE MR. A. K. GAUR, MEMBER (J)

HON'BLE MR. S. N. SHUKLA, MEMBER (A)

**CONTEMPT APPLICATION NO. 27 OF 2008**

**In**

**ORIGINAL APPLICATION NO. 208 OF 2006**

(Under Section 19, Administrative Tribunal Act, 1985)

1. Hiramani aged about 50 years S/o Late Shri Dubari, R/o- Village: Jaraila, Post: Jigna, District: Mirzapur.
2. Ram Sajiwan aged about 50 years S/o- Shri Budhhu, Village: Parauti Ka Pura (Baghera Khurd), Post: Khushaha, District Mirzapur.
3. Ahmad aged about 50 years S/o- Shri Khalil, Village: Chitauli, Post: Jigna, District: Mirzapur.
4. Lolaraknath aged about 50 years S/o- Shri Indramani, village: Bhavashara, Post: Bharatganj (Naroyya), District: Allahabad.

By Advocates:- Shri Sudama Ram

.....Applicants.

Versus

Shri Deepak Dave, Divisional Railway Managr, North Central Railway,  
DRM's Office, Allahabad.

By Advocate- Shri A. K. Pandey

.....Respondent

**ORDER**

(DELIVERED BY: HON'BLE MR. A. K. GAUR, MEMBER-J)

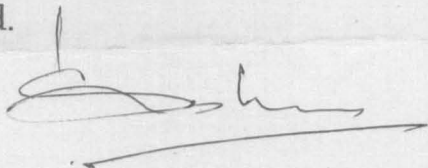
Learned counsel for the applicant has filed the Supplementary Affidavit Respondents have also filed Supplementary Counter Affidavit of 'Divisional Personal Officer' (Law), N.C. Railway, Allahabad. It is clearly enumerated in para 4 of the Supplementary Counter Affidavit that the

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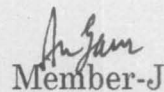
screening in question was initiated on 10.10.2007 and continued upto 06.11.2007. 'Interim Order' was passed by the Tribunal dated 16.11.2007. According to the respondents the screening of Ex-casual labours enrolled in the Live Casual Labour Register had already been completed prior to grant of Interim Order.

2. Learned counsel for the applicant invited our attention to the order dated 03.03.2006 passed by Tribunal and submitted that applicant has already applied in pursuance of notification dated 17.12.2005. It is held by the learned Single Judge of the Tribunal that in all expectation the respondents must consider the same, read with order dated 06.04.2000 in O.A. No. 770/92. In case they reject the candidature of the applicant, the applicant would have a cause of action. That stage has not been come as yet.

3. We find that the Respondents have not committed any willful disobedience of the order and direction of the Tribunal. Accordingly, notices issued to the Respondents are hereby discharged, contempt petition is dismissed.



Member-A



Member-J