

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

No. CPC 173 of 1997
(O.A. 1422 of 1997)

Date of Order : 9.9.1999

Present : Hon'ble Mr. D. Purkayastha, Judicial Member.
Hon'ble Mr. G. S. Meingi, Administrative Member.

GOPAL SEAL & ORS.

vs.

S. MISHRA, GENERAL MANAGER,
S. E. RAILWAY & ORS.

For the applicants : Mr. B. C. Sinha, counsel.

For the alleged contemners : Mr. S. Chowdhury, counsel.

ORDER

Heard 1d. counsel for both the parties. It is alleged by the applicants that the respondents have violated the directions of this Tribunal as contained in the order dated 17.12.1997 (annexure M/3 to the CPC), passed in O.A. 1422 of 1997 as they have issued appointment letter ignoring the direction where it was stated that the respondents are directed not to act upon the impugned order under memo no. P/ Mad/121 (Loose) and also identical memos no. of the same date, annexed at annexure A/6 collectively to the O.A., and not to give any employment on the basis of the impugned panel till the disposal of the O.A.

2. It is alleged by the applicants, that the respondents have issued an offer of appointment on 18.12.1997 on the basis of the panel.

3. The respondents have filed a reply stating that no offer of appointment was issued after receipt of the order dated 17.12.1997 of this Tribunal. Only in 4 cases, before the receipt of the Advocate's letter, appointment letters were issued on 18.12.1997 ✓

4. It is found that this Tribunal, after hearing 1d. counsel for both sides, passed the order on 17.12.1997. In view of the aforesaid circumstances, we are *prima facie* satisfied that contempt proceedings should be drawn up against the alleged contemners for violation of the directions of this Tribunal. The alleged contemners are directed to show-cause why contempt

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proceedings should not be drawn up against them for violation of this order of this Tribunal passed in the O.A. on 17.12.1997 in presence of the 1st. counsel for the respondents, Mr. S. Chowdhury within one month from the date of receipt of the order.

5. Registry is directed to take action immediately. Matter to appear on 16.12.1999.

G.S. Misingi
(G. S. Misingi)
Administrative Member

D. Purkayastha
(D. Purkayastha)
Judicial Member