

8/5

CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH

LUCKNOW

Contempt Application No. 34 of 1991

Kailash Giri

Applicant

versus

Shri K.P. Singh and others.

Respondents.

Hon. Mr. Justice U.C. Srivastava, V.C.
Hon. Mr. K. Obayya, Adm. Member.

(Hon. Mr. Justice U.C. Srivastava, V.C.)

The above contempt application has been filed by the applicant ~~against~~ ^{interim} for alleged non compliance of the order passed by this Tribunal on 20.9.91 in O.A.No. 383/91 and as such, according to the applicants they are guilty of committing contempt of this Tribunal's order and they are to be punished. The interim order was to the effect that in case the juniors to the applicants have been retained in services, applicant shall also be retained in service as Substitute and therefore, his services shall not be terminated.

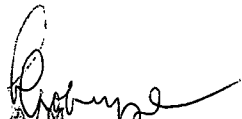
2. The contention of the applicants is that the respondents are knowingly and deliberately not allowing the applicants to do work while their juniors are being allowed to continue. The main contemnor Dr. Raja B. Prasad ^{to} stated on 17.9.92 that no junior / the applicant has been retained in service and the other contemnors also stated that no junior person has been working as substitute. In the counter affidavit also it has been

✓

stated that no junior to the applicant is working. After recording of the statement and filing of counter affidavit, no other affidavit has been filed by the applicants controverting that juniors were allowed to work.

4. In view of the statement given by the alleged contemnors no contempt is made out. Accordingly, this application is dismissed and notices are discharged with the observations that in case the statement given by the contemnors is found to be incorrect, it will be open for the applicants to approach the Tribunal.

No order as to costs.


A.M.


V.C.

Shakeel/-

Lucknow: Dated 27.11.92.