

28/9/94 Hon. Mr. Justice B.C. Saksena, V.C.
Hon. Mr. V.K. Seth, A.M.

The case was called out. The list has been revised twice. None appeared on behalf of the applicant. We have heard Dr. Dinesh Chandra, learned counsel for the respondents.

C.A. has been filed on behalf of the respondent No.2 in which it has been indicated that in O.A.No.96/89, the applicant had prayed for a direction to respondents No.3 & 4 i.e.

Chief Engineer, Northern Command, C/O. 56, A.P.O. and Commander Works Engineer, 5241, C/O, 56, A.P.O. respectively to declare the result of the Trade Test of the applicant held on 4-3-87.

In the C.A. it has been stated that the Trade Test of the applicant dated 4-3-87 was held

while the applicant was posted at Mamun. (Pathankot) ^{ft}

The competent authorities to declare the result and to indicate whether the applicant's position is within the number of vacancies when the test took place were Commander Works Engineer, 5241 C/O.56, A.P.O. and Chief Engineer, Udhampur Zone. In the present contempt petition CWE, MES, Air Force Head Quarters, Chakeri, Kanpur, has been impleaded as respondent No.1 and ACE, B/R (E/M Sec.) Lucknow, has been impleaded as opposite Party No.2.

In view of the averments in the C.A. we are satisfied that no case of contempt against the opposite parties arrayed in the contempt petition has been made out and the C.C.P. is, therefore, not maintainable and deserves rejection. No R.A. has been filed. In view of what has been indicated herein above there is no merit in the CCP and it is accordingly dismissed. Notices issued are discharged.

(nair)

W.S.
A.M.

bdr
V.C.