

CONCLUSIONS AND RECOMMENDATIONS

Consent Application No. 38 of 1992

Hon'ble Mr. Justice C.C. Srivastava, VC

non'ple nr. K. Bayre, Hamb= r(A)

In this contempt application, the applicant has prayed and stated that the alleged contemner have not complied with the direction given by the Tribunal vide its judgment dated 22.9.1991. He directed the respondents to dispose off the representation filed by the applicants giving them an opportunity and to decide that those who had worked for 120 days are entitled for absorption and in case the applicants are successful in their claim, they may be given precedence in terms of Internal Yadav Vs. Union of India and the Railway Board Circular issued thereafter. Let it be done within a period six months. Counter-affidavit has been filed one on behalf of Sri K. Jeev Kishore, present Assistant Personnel Officer and the other on behalf of Sri S.P. Tripathi, Divisional Railway Manager. In the said counter-affidavit, it has been stated that the judgement and order passed by this Tribunal has been complied with on 9.10.1992 not delay in the compliance of the judgement and order dated 22.9.91 was unintentional and was only due to ~~the~~ ^{an} unavoidable circumstances as explained in paragraph 2 of this reply. In the other counter-affidavit the copy of the letter by which the applicant was required to send a copy of the representation and the order intimating them that claim has been rejected has been filed. It is apparent from their affidavit that the compliance has been made not within time but beyond time and as such contempt has been committed in ^{his} view of ~~the~~ Tribunal and it has been made a ^{Contempt} ~~condition~~ no longer subsists. ² the contempt application is dismissed and the motion for

209

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discharged. The learned counsel for the respondents
prays four weeks further time to file supplementary -affi-
davit so that the efforts are being made. The time
prayed for is granted to him for the same. List this
on 10.11.1992.


V.C.


V.C.

~~xxxxxx~~ Lucknow Dated 10.9.92.

(rka)

21/10

Contempt Application No. 35 of 1992

Dated: 18.11.1992.

Hon'ble Mr. Justice U.C.Srivastava, V.C.

Hon'ble Mr. K. Ubaya, Member, (A)

This application has been disposed of on 18.9.1992. Thereafter, the applicant has moved an application for impleading Union Public Service Commission which is responsible for holding the D.P.C. ~~xxxxxx~~ as party to the application. This can not be done at this stage, if the applicant has any grievance, the applicant may move a separate application. ~~xxxxxxxxx~~, the application is misconceived and accordingly, is rejected.



A.M.



V.C.

*in
copy of order
K.K. Lal
civ
gritnil/gul
15/12/92*

(Lka)