IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PATNA BENCH, PATNA
CCPA 41/2009
[Arising out of OA 415/2005]

Date of Order: 21/10/2010

C O R A M
Hon'ble Mr. Justice Anwar Ahmad, Member [Judicial]
Hon'ble Mr. Akhil Kumar Jain, Member(Administrative)

Badri Narayan Mishra, ... Petitioner

By Advocate: - Shri I. D. Prasad

-Versus-

Shri Kameshwar Prasad & Another ..... Respondents.

By Advocate: - Shri S.K. Tiwary

O R D E R

[ORAL]

Justice Anwar Ahmad, Member [Judicial] :- This CP has been filed for non compliance of the order of the Tribunal passed in OA No. 415/2005.

2. The learned counsel for the petitioner submits that selection based of eligibility as on 01.07.2005 was quashed and set aside with direction to the respondents to re-consider the matter in the light of observations made in the OA. He submits that a fresh DPC was held in which 4 persons including one, who was selected earlier, have been considered and selected for appointment. He submits that out of 4 persons, 3 persons were not selected in the fresh DPC, but they are still working in Group 'D' post.

3. The learned counsel for the respondents submits that the order of the

Tribunal has been complied vide Annexure A/1 and he denied the submission of the learned counsel for the petitioner that those who were not selected in the fresh DPC have been employed and engaged as Group 'D' staff.

4. Considering the submissions made, we are of the view that the order of the tribunal has been substantially complied with. The CP , therefore, does not survive. Hence, the CP is dismissed. Notices issued to the respondents stand discharged.

[Akhil Kumar Jain]
Member[A]

[Anwar Ahmad]
Memjber[J]

srk.