

Dated: 27.4.1998 (49) C.P.NO. 40/97

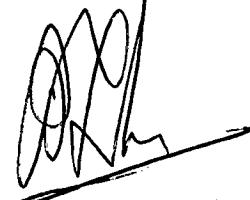
Applicant by Mr.G.K.Masand. Respondents by Mr.V.S.Masurkar.

2. Heard the learned counsels appearing on both sides. After hearing both sides, we find that prima facie there is violation of order dated 25.9.1996. There was a definite direction that no Scheduled Caste candidates should be appointed till further orders in the OA. However, it is now brought to our notice that some Scheduled Caste candidates have been appointed. No doubt the respondents have given certain explanations under the circumstances under which the promotion orders were issued. One Mr.T.M.Bhosale who is now the Senior Divisional Personnel Officer has been made as a Contemnor. We are, therefore, obliged to have an affidavit of the said officer regarding the circumstances under which the impugned promotion order came to be issued. After his affidavit is filed and hearing both sides, we will pass orders on Contempt Petition.

3. M.P.No.118/98 is filed by the respondents for modifying the orders dated 25.9.1996 passed by this Tribunal in order to fill up the future vacancies. In this M.P. it is stated that three posts are kept vacant for the benefit of applicants as per the orders dated 25.9.1996. After hearing both sides, we find that this M.P. is filed only for future vacancies. We only say that the future vacancies should be filled up according to law. M.P.No. 118/98 is disposed of accordingly.

4. Adjourned to 8.6.1998.

5. Copy of the order be furnished to the parties.



(P.P. SRIVASTAVA)  
M. (A)

mrj.



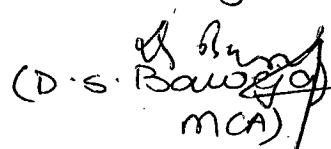
(R.G. VAIDYANATHA)  
VC

37) 22/6/1998.

Applicant and his counsel absent. Shri V.S. Masurkar, counsel for the respondents.

furnish copy of the order dated 27.4.1998 to the Respondents' counsel today itself.

Adjourned to 24/8/1998.



(D.S. BAWALI)  
MCA)



(R.G. VAIDYANATHA)  
VC

Affidavit of Respondent  
to C.P. filed on  
31/6/98

MS  
SIC

OS