

Applicant by Shri C.B.Kale. Respondents by Smt.H.P.Shah..

2. Heard the counsel for the parties. This Contempt Petition is against the Tribunal's order dated 17.10.2002 passed in OA.No.783/2001 in R.E. Ms.Vaishali Ravindra Joshi & Ors. vs. Union of India & Ors.

3. While deciding the aforesaid OA., the Tribunal gave the following order :-

"13. The applicants are unnecessarily dragged to the litigation for the reasons best known to the respondents. As such, they are entitled to costs amounting Rs.1,000/- jointly payable by respondents within one month from the date of receipt of copy of order.

14. In the result, OA. is partly allowed with costs as detailed in para 13 above. The respondents are directed to make regular appointment of the applicants according to their seniority to the post of Postal Assistants in New Mumbai Division in the first available vacancies.

4. The earlier C.P. No.112/2002 filed by the applicant was decided by this Tribunal on 19.12.2002 which was for payment of Rs.1,000/- as cost. As the cost has been paid, the said Contempt Petition was dismissed.

5. The present C.P. is filed on the ground that pursuant to the aforesaid order, the respondents have not given appointment to the applicant.

6. During the course of hearing, the learned counsel for the applicant admits that no appointment has been given by the respondents to any other person also though the vacancy exists. Ms.H.P.Shah has appeared on behalf of the respondents, though no notice has been issued to the respondents till date, to help the Tribunal. Ms.Shah stated that though no vacancies are available but the vacancies are to be identified for the entire Maharashtra Circle/Division wise and only thereafter vacancies can be filled up by the respondents. The Tribunal's direction in OA.NO.783/2001 would be followed while giving appointments whenever it is proposed to be done by the respondents after identifying the aforesaid vacancies. As admittedly no appointments have been made by the respondents, no contempt is made out. Contempt Petition is dismissed. Notice is discharged.

B.N.BAHADUR

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MEMBER (A)

D.C.VERMA

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VICE CHAIRMAN

mrj.