

CENTRAL ADMINISTRATIVE TRIBUNAL

MUMBAI BENCH, MUMBAI

C.P.No.58/2000 in OA.NO.126/93

Dated this the 11th day of April 2001.

CORAM : Hon'ble Shri S.L.Jain, Member (J)

Hon'ble Smt.Shanta Shastry, Member (A)

1. S.P.Satale
2. A.S.Kadam

Instructor Foreman,
B.E.G. & Centre,
Kirkee, Pune.

...Applicants

By Advocate Shri S.P.Saxena

V/S.

Brig.Vijay Aga,
Commandant,
Bombay Engineers Group & Centre,
Kirkee, Pune.

...Respondent

By Advocate Shri R.K.Shetty

O R D E R

{Per : Shri S.L.Jain, Member (J)}

This Contempt Petition follows from a decision dated 21.8.1998, through which three OAs. consisting of eight applicants were decided with a direction that they be allowed seniority from the date they were declared Quasi Permanent. After allowing the seniority as directed, the applicants shall be considered for further promotion as due as per extant rules. The

5.00/-

applicants have a grievance that inspite of revised seniority list and their proper placing, they have not been given any advantage of promotion and also that several juniors to them are enjoying promotion for the last six to seven years. Notices were issued and reply has come from the side of the contemner.

2. There is a categorical statement by Shri R.K.Shetty, Learned Counsel for the respondents that whenever any vacancy accrued after the date of judgement, i.e. 21.8.1998, only the applicants therein were promoted and three promotions have already been made only out of applicants and not from any other source and whenever occasion arises and turn comes, the applicants in this Contempt petition will be considered accordingly.

3. The written statement on behalf of the contemners state that Applicants No. 1 & 2 have been granted promotion to the post of Instructor Foreman w.e.f. 20.7.2000 and Applicant No. 3 w.e.f. 6.12.2000.

4. Keeping in view, the submissions made from either side and the facts brought on record, there appears to be no deliberate or wilful contempt by alleged contemner. However, we part with the matter with an observation that the Respondents shall take care that when turn comes, the applicants be not ignored from being considered for promotion. Notices are discharged accordingly.

Shanta S
(SMT.SHANTA SHAstry)
MEMBER (A)

S.L.Jain
(S.L.JAIN)
MEMBER (J)

mrj.