

CENTRAL ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH: :MUMBAI

CONTEMPT PETITION NO.16/2002  
IN <sup>1094/1997</sup>  
ORIGINAL APPLICATION NO.268/2001

THIS, THE 12TH APRIL, 2002

CORAM: HON'BLE SHRI JUSTICE BIRENDRA DIKSHIT. VICE  
CHAIRMAN  
HON'BLE SMT. SHANTA SHAstry. ... MEMBER (A)

Hanumaant Vishnu Gaikwad,  
Residing AT & PO: Kalambhe,  
Taluka: Wai, Dist:Satara. ... Petitioner

Advocate by Shri D.V. Gangal.

Versus

1. Shri Nirmal Swaroop,  
The Chief General Manager  
or his successor in Office  
Telecom Circle, Maharashtra,  
Fountain Telecom Building II  
Fort, Mumbai-400 001.
2. Shri a.B. Veer,  
The General Manager or  
his successor in Office,  
Satara Telecom District,  
Palace Street, Satara. ... Proposed Contemnors

Advocate by Shri V.S. Masurkar.

O R D E R (ORAL)

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

OA No.1094/97 was disposed of by the Tribunal  
by order dated 06.01.1999 with the following directions  
(1) applicant be given temporary status as per 1989  
scheme; (2) Whenever there is work the respondents  
should consider the case of the applicant in preference  
to open market candidates subject to ofcourse  
suitability, eligibility and seniority; (3) Whenever  
vacancy occurs in Group D cadre the case of the

applicant for absorption and regularisation be considered, subject to suitability, eligibility and seniority in preference to outsiders as per 1989 scheme. The applicant filed CP 16/2002 being aggrieved that the respondents have not implemented the directions of the Tribunal and has stated that the respondents have committed contempt of court, therefore be dealt with in accordance with law. He has also sought direction to the respondents to accord temporary status to the applicant with all consequential benefits under the 1989 scheme followed by regularisation of the services with consequential benefits.

2.. It was also submitted that the respondents had filed writ petition No.575/2000 in the High Court.

3.. After issuing the notice, the respondents have now filed the reply pointing out that the applicant was taken back in work, he has also been granted temporary status as directed by the Tribunal. What remains is, regularisation of the services of the applicant. In this connection, the respondents have stated in their reply dated 21st March, 2002 that at Satara there is no waiting list of temporary status employees for regular absorption and therefore, the applicant's case for regularisation as Group-D will be considered as soon as the vacancy occurs in regular Group-D cadre subject to suitability and eligibility. According to respondents,

they have complied with the directions of the Tribunal. The learned counsel for the applicant is satisfied with that the respondents have complied with the orders and shall be regularising the applicant as soon as vacancy arises. In view of this position, no case for contempt exits. Accordingly, the contempt proceedings are dropped and notices are discharged. Accordingly, the CP is dismissed.

*Shanta* 9  
(SMT. SHANTA SHAstry)  
MEMBER (A)

*B. Dikshit*  
(BIRENDRA DIKSHIT)  
VICE CHAIRMAN

Gajan

dt: 12.6.2002  
order/Judgement despatched  
to Applicant/Respondent (s)  
on 19.6.2002.

*CP*  
21h