

(7)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

CP. 60/94
in
O.A. 159/93.

Dt. of Decision : 23.9.94.

P.N. Srinivasa Rao

.. Applicant.

Vs

Sri Admiral R.K. Wigh, Commender
Office-in-charge, Naval Base,
Ship Building Centre,
Visakhapatnam.

.. Respondent.

Counsel for the Applicant : Mr. B. Dhilleswara Rao

Counsel for the Respondent : Mr. N.V. Raghava Reddy, Addl. CGSC.

CORAM:

THE HON'BLE SHRI A.V. HARIDASAN : MEMBER (JUDL.)

THE HON'BLE SHRI A.B. GORTHY : MEMBER (ADMN.)

(8)

.. 2 ..

C.P.No.60/94

in

O.A.No.159/93

Date of Order: 23.9.94

{ As per Hon'ble Shri A.V.Haridasan, Member (Judl.) }

- - -

The petitioner is the applicant in
O.A.159/93 which was disposed of by order dt. 8.2.94
with the following directions:-

1. The applicant may be continued to be engaged so long there is work in preference to juniors and freshers.
2. The name of the applicant will be entered in a live casual labour register, may be in an unapproved list as different from approved list ment for those engaged through Employment Exchange.
3. The case of the applicant for grant of temporary status and for regularisation against available Group 'D' posts will be considered by the respondents keeping in view the seniority of each of the extant scheme/instructions.

{applicant and
strictly in accordance
with the

2. Alleging that the respondents have violated these directions in not engaging the applicant and not regularising his service the applicant has filed this petition praying that action under Contempt of Court's Act may be initiated against the respondents.

3. Shri N.R.Devraj, learned standing counsel for the respondents taking notice on behalf of the respondents submitted that there is no allegation of violation of any of the directions the judgement, that no person junior to the applicant is retained and that the position of the applicant in the unapproved list would be intimated to him within a short period. Since the allegation in the CP did not make out a case to proceed against the respondents under the Contempt of Court's Act as there is no specific allegation that any one of the directions contained in the judgement has been violated, we find

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C.P.No.60/94
in
O.A.No.159/93

Date of Order: 23.9.94

X As per Hon'ble Shri A.V.Haridasan, Member (Judl.) X

- - -

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O.A.159/93 which was disposed of by order dt. 8.2.94
with the following directions:-

1. The applicant may be continued to be engaged so long there is work in preference to juniors and freshers.
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strictly in accordance
with the

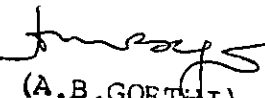
2. Alleging that the respondents have violated these directions in not engaging the applicant and not regularising his service the applicant has filed this petition praying that action under Contempt of Court's Act may be initiated against the respondents.

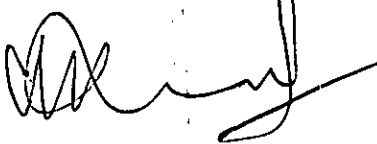
3. Shri N.R.Devraj, learned standing counsel for the respondents taking notice on behalf of the respondents submitted that there is no allegation of violation of any of the directions the judgement, that no person junior to the applicant is retained and that the position of the applicant in the unapproved list would be intimated to him within a short period. Since the allegation in the CP did not make out a case to proceed against the respondents under the Contempt of Court's Act as there is no specific allegation that any one of the directions contained in the judgement has been violated, we find

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that it is not necessary to initiate any action against the respondents. We note the undertaking given by Mr.N.R.Devraj that the respondents would enter the petitioner's name at the proper place in the casual labour list (unapproved) and intimate the petitioner's position in the list. Hence we close the C.P. No order as to costs.

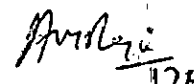

(A.B.GORTHI)
Member (Admn.)


(A.V.HARIDASAN)
Member (Judl.)

Dated: 23rd September, 1994

(Dictated in Open Court)

sd


Deputy Registrar(Judl.)

Copy to:-

1. Sri. Admiral R.K.Wigh, Commender Office-in-Charge, Naval Base, Ship Building Centre, Visakhapatnam.
2. One copy to Sri. B.Dhilleswara Rao, advocate, 1-3-183/40/68/C/2, Opp. Playground, Gandhinagar, Hyd.
3. One copy to Sri. N.V.Raghava Reddy, Addl. CGSC, CAT, Hyd.
4. One copy to Library, CAT, Hyd.
5. One spare copy.

Rsm/-

3rd page
Pm 17/10/94

CP. 60794

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O.A. 159/93

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Approved by

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE MR. A. V. HARIDASAN : MEMBER (J)

AND

THE HON'BLE MR. A. B. GORTHI : MEMBER (A)

Dated: 23/9/94

ORDER/JUDGMENT.

M.A./R.P/C.P/No. 60794

D.A. NO.

in

159/93

~~T.A. NO.~~

(~~U.P. NO.~~)

Admitted and Interim Directions
Issued.

Allowed.

Disposed of with Directions. CP.

Dismissed.

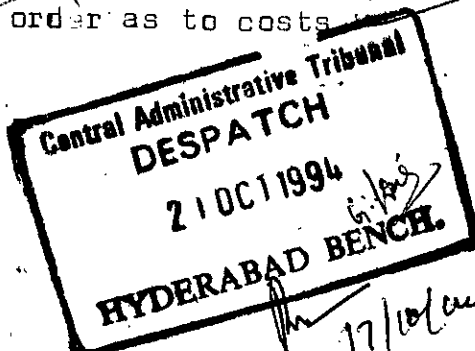
Dismissed as withdrawn.

Dismissed for Default.

Rejected/Ordered.

No order as to costs.

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YLKR

17/10/94