

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

CP 58/94 in  
OA 32/91

; Date of order 14.11.94

Krishan Gopal Kumawat : Applicant

V/s

S.C. Mahalik & Others : Respondents

Mr. K.L. Thawani : Counsel for the applicant

Mr. U.D. Sharma : Counsel for the respondents.

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Hon'ble Mr. Gopal Krishna, Member (judicial)

Hon'ble Mr. O.P. Sharma, Member (Administrative)

PER HON'BLE MR. O.P. SHARMA, MEMBER (ADMINISTRATIVE)

Shri Krishan Gopal Kumawat has filed this Contempt Petition against the respondents stating that they have not taken action to regularise the services of the applicant as directed by the Tribunal in its order dated 5.10.93 in OA no. 32/91, although more than six months have passed since the passing of the order and thereby the respondents have disobeyed the order of the Tribunal and have accordingly committed contempt of court.

2. Vide order dated 5.10.93 the Tribunal had directed that in the facts of the case the respondents should consider the applicant's case for regularisation in the post of Mailman Group 'D' within a period of four months from the date of the receipt of a copy of this order.


3. We have heard the learned counsel for the parties.

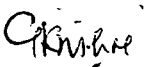
4. The learned counsel for Union of India and other respondents has drawn our attention to Annexure R-2 dated 15.4.94, wherein it has been stated that the Department has considered the case of the applicant for regularisation in the post of Mailman (Group 'D') in his turn. He has also

drawn our attention to Annexure R-1 dated 21.7.94, wherein it has been stated that temporary status has been conferred on the applicant w.e.f. 29.11.89. The learned counsel for the respondents has added that the applicant was considered for regularisation in terms of the order of Tribunal and was found fit for regularisation. However, because of the non-availability of the vacancy, an actual order of regularisation could not be passed in his favour. According to him, as & when vacancy is available, the applicant will be now regularised in his turn according to his seniority.

5. In the circumstances of the present case, we hold that no case of contempt had been made out inas much as the respondents have considered the case of the application for regularisation in terms of the order of the Tribunal dated 5.10.93. The applicant would also be regularised as per his turn according to his seniority as & when vacancy for regularisation is available.

6. We, therefore, dismiss this Contempt application as being without merit. Notices stand discharged.

  
(O.P. SHARMA)  
MEMBER(A)

  
(GOPAL KRISHNA)  
MEMBER(J)