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Date of Decision: 19.12.95.

CP 100/94 (TA 174/92)

BHEEK SINGH

... Petitioner.

Versus

SHRI M.FAVINDRA AND OTHERS

... Respondents.

CORAM:

HON'BLE MR. GOPAL IRISHIA, VICE CHAIPMAN

HON'BLE MR. O.P. SHAFMA, MEMBER (A)

For the Petitioner

... None

For the Respondents

... Mr. Parmanand, CLA,

departmental representative

O R D E R

PER HON'BLE MR. GOPAL IRISHIA, VICE CHAIPMAN

Petitioner, Bheek Singh, has filed this Contempt Petition u/s 17 of the Administrative Tribunals Act, 1985, stating therein that by not complying with the directions of the Tribunal in TA 174/92 (TA 860/85) (CS 231/81), decided on 5.10.93, the respondents have committed contempt of court.

2. None is present for the petitioner. We have heard Shri Parmanand, CLA, departmental representative for the respondents, and have perused the records.

3. The operative portion of the order in the aforesaid TA reads as follows:-

"4. ....We direct that the applicant as well as the private respondents should be heard before an order revising the seniority of the applicant as also the consequential order revising the seniority of the private respondents is issued.


5. If as a result of the above exercise, a higher seniority is assigned to the applicant, respondent No.1 should examine the matter for grant of consequential benefits such as promotion, as prayed for, in the scale Rs.700-900 (R)."

It is obvious from the order dated 18.7.95 (Ann.R-1) that pursuant to the directions given by this Tribunal the petitioner and other private respondents in the connected TA were called for personal hearing. The petitioner had explained his case and the basis on which he had claimed seniority. The case

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was duly examined in details considering the various points raised by the petitioner in his representation. The petitioner's case for promotion against the vacancy arising in 1958 was found not tenable by the competent authority. We are of the view that the directions of the Tribunal had been complied with.

4. In the result, this Contempt Petition is dismissed. Notices issued are discharged.

  
(O.P. SHARMA)  
MEMBER (A)

  
(GOPAL KRISHNA)  
VICE CHAIRMAN

VK