

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

CP 34/94 : Date of order 26.9.94  
(OA 126/94)

Neeraj Kumar Sharma : Petitioner

V/s

V.N. Sharma : Respondent

None present for the petitioner.

Mr. Manish Bhandari : Counsel for the respondent.

CORAM

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

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


PER HON'BLE MR. GOPAL KRISHNA, MEMBER (JUDICIAL)

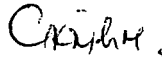
None is present on behalf of the petitioner. We have heard the learned counsel for the respondent and have perused the records

2. Petitioner Neeraj Kumar Sharma has filed this CP against the respondent, V.N. Sharma, Chairman, Railway Recruitment Board, Ajmer, stating therein that despite the order by this Tribunal passed in OA no. 126/93 directing the Railway Recruitment Board to hold a special test for the petitioner within two months from the date of the order and in case as a result of the test, he obtains marks higher than the marks of the last person included in the panel from the general category, the petitioner may be issued necessary appointment. The same was not complied with by the respondents within the prescribed time-frame. The petitioner's contention is that the respondent has wilfully disobeyed the said order of the Tribunal and has committed contempt of court. The respondent has filed reply to petition and it is evident from the reply and the document filed in support of it that in compliance with the directions issued by this Tribunal, the respondents held a special test for the petitioner on 16.5.94 and from the result of the test it has been observed that the petitioner could not obtain marks equal or higher than the marks of the last person included in the panel from the general category.

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In these circumstances, the petitioner could not be considered for appointment. In view of these facts, no contempt is made out against the respondents. The CP is, therefore, dismissed. Notices stand discharged.

  
(O.P. SHARMA)  
MEMBER(A)

  
(GOPAL KRISHNA)  
MEMBER(J)