

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

Date of order 22.5.95

CP 52/95 in OA 98/92

Ashwani Kumar Mathur S/o Shri Raj Mahadur Mathur  
aged about 43 years resident of C/o Shri Vinod Kumar  
Mathur, Kumar Publicity Khirni Ghat, Bharatpur, at  
present employed on the post of Painter and Decorator  
in Ammunition Depot, Bharatpur (Rajasthan).

... Petitioner

VERSUS

1. Shri A.S. Hundal, Commandant,  
Ammunition Depot, Bharatpur.
2. Shri Vijay Lal, Major General,  
Army Ordnance Corps Headquarters,  
Southern Command, Pune- 1.

... Respondents.

CORAM

HON'BLE MR. GOPAL KRISHNA, VICE CHAIRMAN.  
HON'BLE MR. O.P. SHARMA, MEMBER (ADMINISTRATIVE)

For the Petitioner	...	Mr. S. Kumar
For the Respondents	...	Mr. S.K. Jain

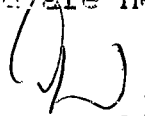
O R D E R

PER HON'BLE MR. GOPAL KRISHNA, VICE CHAIRMAN

Petitioner Shri Ashwani Kumar Mathur has filed this Contempt <sup>P</sup>etition u/s 17 of the Administrative Tribunals Act, 1985, for launching contempt proceedings against the respondents, stating therein that the respondents have disobeyed the directions of the Tribunal issued on 30.9.94 in OA no. 98/92. In the aforesaid OA, the respondents were directed to consider the petitioner's case for promotion to HS Grade II with all consequential benefits as per rules, keeping in view the recommendations made vide Annexure A-4 dated 3.8.90. The learned counsel for the respondents have filed a communication dated 24.2.95 by which it was intimated to the petitioner that ~~Cikm~~ his case was considered and since his case falls under

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the general category, Shri Hari Ram Verma, who was senior to him, has been promoted in the general category as per his merit and Shri Harish Chand has been promoted as per the 40 Point Roster of SC/ST in the reserve quota. In these circumstances, the applicant's case could not be considered for promotion to HS grade II at this stage. Since the case of the applicant has been duly considered by the respondents in terms of the directions of the Tribunal but no appointment could be given to him in the absence of any vacancy, we find that there was no contempt committed by the respondents. This Contempt Petition is, therefore, dismissed. Notices issued are hereby discharged.

  
(O.P. SHARMA)  
MEMBER(A)

  
(GOPAL KRISHNA)  
VICE CHAIRMAN