

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH: JAIPUR

Date of order : 11.7.1995.

CP No. 6/1995

in

OA No. 99/93.

Smt. Anna Purna Sharma

.... Applicant.

versus

Shri V.S. Sisodia & Ors.

.... Respondents.

Mr. Mahendra Shah, Counsel for the applicant.

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

CORAM:

Hon'ble Mr. Gopala Krishna, Vice Chairman.

Hon'ble Mr. N.K. Verma, Adm. Member.

ORDER

(PER HON'BLE MR. GOPAL KRISHNA, VICE CHAIRMAN)

This is a contempt petition filed by Smt. Anna Purna Sharma on the ground that the respondents had engaged fresh hands in service ignoring her right to preferential treatment for the purpose of employment and since the respondents have ignored the provisions contained in Section 25-H of the Industrial Disputes Act, 1947, while engaging such fresh hands they have committed contempt of the ^{U.K.M.R} order of the Tribunal dated 18.2.1993.

2. We have heard learned counsel for the parties and have gone through the records of the case carefully.

3. The order which is alleged to have been wilfully disobeyed reads as follows :-

"Admit. Issue notices to respondents returnable on 4.3.1993. In the meanwhile, if any fresh engagement of casual labour is to be made by the respondents, the claims of the applicants under Section 25-H of the I.D. Act shall be kept in view."

It is obvious from Annexure R/1 that a contempt petition in respect of the same order noted above was filed by Shri Pradeep Soral and having not disclosed any contempt it was dismissed by a Division Bench of this Tribunal on 13.9.1993. Thereafter, another contempt petition on the ground of non implementation of the order aforesaid was dismissed by this Tribunal vide order at Annexure A/3 dated 29.6.1994. Another noteworthy feature of the case is that the petitioner has been engaged as a Coder vide Annexure R/2 for a specific period with effect from 25.5.1993 to 31.12.1993.

4. In view of the facts stated above, this contempt petition is dismissed as not being maintainable.

Chikhlia

5. Learned counsel for the respondents insisted upon awarding costs to the respondents on the ground of this contempt petition being frivolous and vexatious. However, the petitioner is a low paid employee and, therefore, we are not inclined to award any costs to the respondents.

N.K. Verma
(N.K. VERMA)

MEMBER (A)

Gopal Krishna
(GOPAL KRISHNA)
VICE CHAIRMAN

cvr.