

**CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH,
JABALPUR**

Reserved

Civil Contempt Petition No.200/00029/2016
(in OA No.227/2003)

Jabalpur, this Wednesday, the 05th day of October, 2016

Mr. Raj Vir Sharma, Judicial Member

Mr. A.K. Upadhyay, Administrative Member

1. Shobhnath Pandey, S/o Shri Ramsakha Pandey, aged about 53 years, R/o H.No.760 Near Narmda Bhawan Priyadarshani Bhopal M.P. PIN Code 462003
2. Dinesh Kumar Vishwakarma S/o Shri Kishorilal Vishwakarma aged about 40 years, R/o Village Laukhedi, Airport Bairagarh Bhopal M.P. PIN Code 402030
3. Raja Ram Dohre, S/o Shri L.P. Dohre aged about 42 years R/o 75/1 Motiya Talab, Bank Colony, Janhagirabad Bhopal (M.P.) PIN Code 462008
4. Sodan Singh S/o Shri Nirbhay Singh, aged about 50 years, R/o H.No. F-7/13 Jawahar Nagar, Ujjain (M.P.) PIN Code 456010

- Petitioners

(By Advocate –Shri Aditya Ahiwasi)

V e r s u s

1. Madhsudan Prasad, Secretary, Union of India, Ministry of Housing Govt. of India, New Delhi PIN Code 110001
2. A.K. Ahuja, Chief Engineer CPWD Central Zone E-3/4b Arera Colony Bhopal M.P.
3. Manohar Lal Superintending Engineer CPWD Near Bust Stop No.10 Arera Colony Bhopal M.P.
4. B.L. Meena Superintending Engineer CPWD CGO Complex A.B. Road Indore (M.P.)
5. Jain Ram Shrivastava, Executive Engineer CPWD Central Division No.1, S2-A Arera Hills Bhopal (M.P.)



6. Mohit Kanthan Executive Engineer CPWD
Bank Note Press Division No.2 Indore (M.P.)

7. D.P. Sahu Assistant Engineer CPWD
Sub Division Bhopal (M.P.)

8. Satish Chourasiya, Assistant Engineer
CPWD Sub Division Ujjain (M.P.)

-Respondents

**(By Advocate – Shri Amardeep Gupta proxy counsel of Shri
Vikram Singh)**

(Date of reserving the order: 03.10.2016)

ORDER

By Raj Vir Sharma, JM.-

The petitioners have filed this Contempt Petition alleging non-compliance of the directions issued by this Tribunal in order dated 8.12.2004 passed in Original Application No.227 of 2003, whereby the respondents were directed to treat the applicant as casual labourers for the entire period of their engagement and regularise their services. However, against the aforesaid order the respondents moved the Hon'ble High Court by filing Writ Petition No.4835 of 2005, which was disposed by vide order dated 8.1.2015 with the following terms:

"In view of the submissions made by the learned counsel for parties and as agreed by them, the order dated 08.12.2004 passed by the Central Administrative Tribunal is modified and it is hereby directed that the petitioners shall consider the case of the respondents for regularisation in the light of office memorandum dated 16.10.2014 passed by the Government of India within the period of three months from the date of the certified copy of this order.

Needless to state that petitioners shall pass a speaking order while deciding the claim of the respondents for regularization. It is made clear that we have not expressed any opinion on merit in respect of claim of the respondents with regard to regularization of their services".

2. In compliance of the aforesaid direction of the Hon'ble High Court, the respondents have passed a speaking order dated 11.2.2016 (Annexure R-3)
3. Heard the learned counsel of both sides and carefully perused the pleadings of the respective parties and the documents annexed therewith. We have also perused the speaking order dated 11.2.2016 (Annexure R-3) passed by the respondents in compliance of the directions of the Hon'ble High Court.
4. Since the directions of the Tribunal have already been modified by the Hon'ble High Court and in compliance of the directions issued by the Hon'ble High Court, the respondent authorities have already passed speaking order, no contempt as such has been made out against the respondents. Accordingly, the CCP is dismissed and notices issued to the respondents are discharged.

Upadhyay
(A.K. Upadhyay)
Administrative Member

rkv

Raj Vir Sharma
(Raj Vir Sharma)
Judicial Member