

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
JAIPUR BENCH, JAIPUR.

Jaipur, the 11th day of December, 2008

CONTEMPT PETITION No.34/2008

IN

ORIGINAL APPLICATION NO.72/2008

CORAM :

HON'BLE MR.M.L.CHAUHAN, JUDICIAL MEMBER
HON'BLE MR.B.L.KHATRI, ADMINISITRATIVE MEMBER

Kaushlendra Sagar,
Cleaner in C&W Department,
NWR, Jaipur Division,
Jaipur.

... Applicant

(By Advocate : Shri Shailendra Srivastava)

Versus

1. Sunil Goyal,
DRM, Jaipur Division,
NWR, Jaipur.
2. Sanjay Sharma,
CDO, C&W Department,
NWR,
Jaipur.

... Respondents

(By Advocate : Shri Anupam Agarwal)

ORDER (ORAL)

✓ PER HON'BLE MR.M.L.CHAUHAN

The applicant has filed this CP for the alleged violation of the order dated 5.3.2008, passed in OA 72/2008, whereby this Tribunal had directed respondent No.2 to decide applicant's representation dated 18.2.2008 (Ann.A/4 in the OA) taking into consideration the proceedings of PNM Meeting, as enclosed vide letter dated 13.2.2008 (Ann.A/3 in the OA), and pass a reasoned and speaking order within a period of four weeks from the date of receipt of a copy of the order.

2. Notice of this application was given to the respondents, who have filed their reply. Learned counsel for the respondents has also drawn our attention to the letter dated 11.4.2008 (Ann.CP/II), whereby a decision has been taken by the Headquarter keeping in view the observations made by this Tribunal in the aforementioned OA. Grievance of the applicant is that the respondents have not taken into consideration the decision of PNM Meeting dated 13.2.2008 in which it was categorically made clear that the Cleaners will discharge the duty of cleaning, whereas toilet cleaning and broom related duty will be discharged by the Sweepers only. In para-5 of the reply-affidavit, the respondents have categorically stated that that the applicant has not been given broom related work, as alleged. At this stage, it will be relevant to reproduce the relevant portion of para-5 of the reply-affidavit, which thus reads as under :

"Further, the order Ann.CP/2 disclosing the detailed duty list is an outcome of detailed deliberations of the answering respondents wherein also the applicants have not been given broom as alleged in this para. As is clear from the nomenclature of the post, one is required to do the work of cleaning which includes sweeping (cleaning by brushing). Thus, it clearly demarcates the difference with the sweepers/Safaiwalas who are required to clean the toilets. In case the applicants are still aggrieved of it, they can take recourse to the appropriate forum as per law."

In view of what has been stated above, we are of the view that the present CP does not survive for consideration and the same

stands disposed of accordingly. Notices issued to the respondents are hereby discharged.


(B.L.KHATRI)
MEMBER (A)


(M.L.CHAUHAN)
MEMBER (J)

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