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**THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR
ORDER SHEET**

APPLICATION NO.: _____

Applicant (S)

Respondent (S)

Advocate for Applicant (S)

Advocate for Respondent (S)

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

07.12.2009

CP 20/2009 (OA No. 330/2003)

Mr. Laxmi Kant, Proxy counsel for
Mr. G.K. Garg, Counsel for applicant.
Mr. V.D. Sharma, Counsel for respondents.

Heard learned counsel for the parties.

For the reasons dictated separately, the CP is
disposed of.


(B.L. KHATRI)
MEMBER(A)


(M.L. CHAUHAN)
MEMBER (J)

AHQ

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH

Jaipur, this the 07th day of December, 2009

CONTEMPT PETITION NO. 20/2009
IN
ORIGINAL APPLICATION NO. 330/2003

CORAM:

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

Ajay Singh son of Late Shri Sher Singh Chittora, aged about 58 years, resident of Chittora House, E-24, Durga Marg, Bank Park, Jaipur. At present posted as Addl. Divisional Commissioner, Jaipur.

.....APPLICANT

(By Advocate: Mr. Laxmi Kant proxy to Mr. G.K. Garg)

VERSUS

Shri Khemraj, Secretary to Government Department of Personnel, Government of Rajasthan, Secretariat, Jaipur.

.....RESPONDENTS

(By Advocate : Mr. V.D. Sharma)

ORDER (ORAL)


The applicant has filed this Contempt Petition for the alleged violation of the order dated 16.03.2004 (Annexure A/1) whereby no relief was granted to the applicant in the OA filed by him and the same was dismissed. The order was passed by this Tribunal in view of the stand taken by the respondents in the reply affidavit that the respondents had issued a provisional seniority list of the RAS Officers as on 01.04.2003, which is under process of finalization after considering the representations of the affected officers.



2. Notice of this Contempt Petition was given to the respondent. The respondent has filed their reply. In the reply, the respondent has taken a preliminary objection that after a lapse of one year in view of the provisions contained under Section 20 of the Contempt of Courts Act, 1971, the present Contempt Petition is not maintainable. On merit, it has been stated that final seniority list, which was prepared by the Department in terms of reply filed in the aforesaid OA, has been quashed by the Single Judge of the Hon'ble High Court vide order dated 24.06.2008 passed in SB Civil Writ Petition No. 4866/2008. It is further stated that judgment of the Single Judge has been challenged before the Division Bench and the matter is still sub-judice.

3. In view of what has been stated above, we are of the view that the present Contempt Petition does not survive, which is accordingly disposed of. Notice issued to the respondent is hereby discharged.


(B.L. KHATRI)
MEMBER (A)


(M.L. CHAUHAN)
MEMBER (J)

AHQ