

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

**CP-189/2018 in
OA-3690/2016**

New Delhi, this the 02nd day of November, 2018

**Hon'ble Sh. V. Ajay Kumar, Member(J)
Hon'ble Sh. A.K. Bishnoi, Member(A)**

1. Arun (Aged about 32 years)
s/o Sh. Chander Pal,
R/o House no. 233, Sector 7,
Pushp Vihar, MB Road,
New Delhi-110017.
2. Naushad Ali (Aged about 36 years),
S/o Sh. Ahamed Hussain
R/o 33, Holiwala Hiranwala, Ward No. 1,
Teshil Hasanpur,
Moradabad, UP.
3. Arun Kumar (aged about 30 years),
s/o Sh. Morari Lal,
R/o House No. B-17,
Palika Dham, New Delhi.
4. Prateek (Aged about 32 years),
s/o Sh. Brahm Singh,
R/o CPA-32, New Seelampur,
Near Samudaya Bhawan, New Delhi-53. Petitioners

(through Sh. Surya Nath Pandey)

Versus

1. Sh. Ragivnder Singh,
Secretary,
Ministry of Culture,
Shastri Bhawan, New Delhi.
2. Sh. Adwaota Charan Garanayak,
Director General,
National Gallery of Modern Art,
Jaipur House, New Delhi-3. Respondents

(through Sh. Duli Chand and Sh. Vidya Sagar for Sh. H.K. Gangwani)

ORDER(ORAL)**Hon'ble Sh. V. Ajay Kumar, Member(J)**

The instant CP is filed alleging non-implementation of the interim order dated 28.10.2016 in OA No. 3690/2016. The said order reads as under:

"Heard.

Issue notice to the respondents returnable for 11.11.2016. Meanwhile, respondents are directed to maintain status-quo, with regard to the services of the applicants.

Order **Dasti.**"

2. It is the case of the applicant that in spite of the interim order of this Tribunal, the respondents are not engaging the applicants' w.e.f. February, 2017 and are engaging others in their place.

3. The respondents in their reply to the contempt have stated that they engage the services of casual employees, such as the petitioners' on need base. On a given day, whoever goes to the office and is available for engagement, they will engage them. In fact, on some occasions, though the applicants were offered work, they themselves refused to do it.

4. In the circumstances, we do not find any merit in the contempt petition and accordingly, the same is dismissed. However, this order shall not preclude the petitioners from approaching the respondents and in such an event, they shall engage the petitioners, if there is work, and in preference to their juniors/freshers/outsourced persons.

(A.K. Bishnoi)
Member(A)

(V. Ajay Kumar)
Member(J)

/ns/