

O

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

C.P. No.175 OF 2003
IN
O.A. No.3018 OF 2002

New Delhi, this the 1st day of October, 2003

HON'BLE SMT. LAKSHMI SWAMINATHAN, VICE CHAIRMAN (J)
HON'BLE SHRI R.K. UPADHYAYA, MEMBER (A)

Ms. Phoolwati Kumari
D/o Late Shri Sampat Lal
R/o Sector 5/1615, R.K. Puram,
New Delhi.

...Petitioner
(By Advocate : Sh. D.S. Mahendru for Shri R.P. Luthra)

Versus

Shri R. Subramanium
Government of India,
Central Public Works Department,
Office of the Chief Engineer,
(NDZ-I), Nirman Bhawan,
New Delhi.

....Respondent
(By Advocate : Shri K.N. Bhutia for Ms.R.O. Bhutia)

ORDER (ORAL)

HON'BLE SMT. LAKSHMI SWAMINATHAN, VICE CHAIRMAN (J):

This Contempt Petition has been filed by the petitioner alleging non-compliance of the directions of the Tribunal's order dated 10.12.2002 in OA 3018/2002. We have seen the reply affidavit filed by the respondents dated 12.9.2003. The respondents have stated, inter alia, that the petitioner has not uttered a word about the "previous" OA filed by him, i.e., OA No.3018/2002. However, we note that the petitioner has referred to the order of the Tribunal dated 10.12.2002 in OA 3018/2002 in the Contempt Petition. Another averment made by the respondents is that "The truth of the matter is that Vide respondent's letter dated 02-04-2003 (a copy of which is annexed as Annexure R-1), the respondent had clearly communicated to the applicant that her

8

(2)

(b)

application for compassionate appointment was considered by the competent authority in the light of DOP&T instructions ^{issued} from time to time and was rejected on the basis of ^{PL} instruction contained in DG (works), CPWD, N.Delhi, OM dated 17-12-2002". They have also stated that the petitioner has also not challenged their order dated 2.4.2003, as there is no mention of the same in the CP.

2. It is noted that the Contempt Petition has been filed by the petitioner on 6.5.2003 with a prayer to initiate contempt proceedings against the respondent and to direct him to comply with the aforesaid directions of the Tribunal's order dated 10.12.2002. As these directions have already been complied with by the respondents, we see no good ground to continue with the Contempt Petition, noting the submissions made in the reply affidavit that the applicant has been informed by the respondents' letter dated 2.4.2003.

3. In the above circumstances, the Contempt Petition No.175/2003 is dismissed. Notice issued to the alleged contemnor is discharged. File to be consigned to the record room.

Chiragam

(R.K. UPADHYAYA)
MEMBER (A)

/ravi/

Lakshmi Swaminathan
(SMT. LAKSHMI SWAMINATHAN)
VICE CHAIRMAN (J)