

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH NEW DELHI

C.P. No.552/2001
IN
O.A. No.819/2001

New Delhi, this the 29th day of November 2001.

Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman (J)
Hon'ble Shri M.P. Singh, Member (A)

Mukesh Kumar Arora
S/o Late Shri Sain Dass
(Ex-Wireman)
R/o 1889-B/17,
Govindpuri Extn. Kalkaji, New De~lhi.

.....Petitioner
(By Ms. Harvinder Oberai, learned proxy counsel for
Shri Vikas Dutt, Advocate)

Versus

1. Union of India
Through
Sh. K.Kaushal Ram
Secretary
Ministry of Urban Development
Nirman Bhawan, New Delhi.

2. Shri P.K. Gupta,
The Superintending Engineer,
Co-ordination Circle (Civil),
Central Public Works Department,
B-107, Indraprastha Bhawan,
New Delhi-110002.

...Contemnners
(By Shri N.K. Aggarwal, Advocate)

O R D E R (ORAL)

By Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman (J):

We have heard learned proxy counsel for the petitioner at length on CP No.552/2001. At the outset, she has pointed out that the respondents have sent their reply dated 13.7.2001 in compliance of the Tribunal's order dated 30.3.2001 in OA NO.819/2001 but deliberately to a wrong address. According to the learned proxy counsel for the petitioner, the petitioner had informed the respondents by his representation dated 2.5.2001 that he had changed from his Government quarter to the private quarter which had not been taken note of by them. We are unable to agree with the contentions of the learned proxy counsel for the petitioner that the respondents have

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deliberately flouted the Tribunal's order. According to the learned counsel for the respondents, they have sent it to the earlier address which was available in the records. We further note that in the OA, the applicant's address has been given as C/o Government quarter which he had occupied earlier. On this ground, we are unable to come to a conclusion that CP No.552/2001 should be proceeded against the alleged contemners.

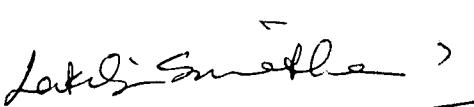
2. On merits of CP 552/2001, having seen the relevant documents filed by the respondents with their reply, we find that they have considered the applicant's claim for compassionate appointment in terms of the directions given in the aforesaid order of the Tribunal read with the relevant rules. On this ground, we are also unable to agree with the contentions of the learned proxy counsel for the petitioner that they have deliberately disobeyed the Tribunal's order.

3. Learned proxy counsel for the petitioner has also sought some time to file rejoinder. However, in the facts and circumstances of the case, we do not consider it necessary to grant any further time to the petitioner to file rejoinder as the order of the Tribunal dated 30.3.2001 has been fully complied by the respondents.

4. In view of what has been stated above, the CP is dismissed. Notices to the alleged contemners are discharged and file to be consigned to the record room.


(M.P. Singh)
Member (A)

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(Smt. Lakshmi Swaminathan)
Vice Chairman (J)