

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

...

C.P. No. 15 of 1996

in

O.A. No.667 of 1994

(12)

Dated New Delhi, this 20th day of February, 1996.

HON'BLE MR JUSTICE P. K. SHYAMSUNDAR, ACTING CHAIRMAN
HON'BLE MR K. MUTHUKUMAR, MEMBER(A)

1. Smt. Kamla Devi
W/o of Late Shri Bir Singh

2. Sushil Kumar
S/o Late Shri Bir Singh
Village Dhindhar
Dist. Ghaziabad (UP).

... Applicants

By Advocate: Shri V. P. Sharma
versus

Shri S. R. Sridharan
General Manager
Ordinance Factory
Mursadnagar
Dist. Ghaziabad(UP).

... Respondent

O R D E R (Oral)

Mr Justice P. K. Shyamsundar

Heard the learned counsel for the applicants.

The grievance of the applicants is that a ^{given} direction by the Tribunal in their case has not been complied with. We find that in pursuance of the direction of the Tribunal apropos appointment of the applicant No.2 on compassionate ground, the respondent department appears to have considered the same and passed an order according to its own light. This is very clear from the exhibit P-3 dated 28.3.95 which we have perused. It shows that the case of applicant No.2 had been considered again but the respondents

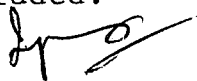
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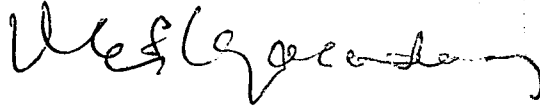
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have not found it feasible to accede to the demand of the applicant for a compassionate appointment. We thus find that there is no case for proceeding against the respondents for contempt. This application is misconceived and the same is, therefore, rejected.

At this stage, the learned counsel for the applicants says that his clients should be free to assail the order dated 28.3.95 annexed as P-3 by which the case of applicant No.2 for compassionate appointment was rejected after re-examination.

While we cannot commend such a course but we cannot also prevent him from making a further journey to the Tribunal if the law permits this kind of repeated onslaughts on something that is over and concluded.


(K. MUTHUKUMAR)
Member(A)


(P. K. SHYAMSUNDAR)
Acting Chairman

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