

(2)

CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH

C.P.No. 331/98

IN

O.A.No. 1165/95

New Delhi: this the 17 day of May, 2000.

HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A).

HON'BLE MR. KULDIP SINGH, MEMBER (J)

Shri. Narain Singh,
S/o Late Shri Mani Ram,
Vill. Virjapur,
Post Aduki,
Distt. Mathura (UP)

.....Applicant.

(By Advocate: Shri D.N. Sharma)

Versus

Lt. General S.K. Bhatnagar,
Master General of Ordnance,
Army Headquarters, DHQ,
Post Office,

New Delhi.

.....Contemnor/
Respondents.

(By Advocate: Shri D.S. Mahendru)

ORDER

HON. MR. S.R. ADIGE, VC (A).

Heard both sides on C.P.No. 331/98 alleging contumacious non-compliance of the Tribunal's order dated 22.8.96 in OA No. 1165/95.

2. By that order, respondents were directed to have the case of applicant's son considered by the competent authority for grant of compassionate appointment in the light of the observations contained in that order and to extend to him the benefit of compassionate appointment if he was found eligible and suitable.

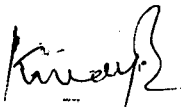
3. Respondents in their reply state that because applicant is below High School ^{level} he could be considered only for a Group 'D' post. They state further that

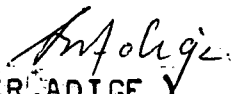
2

because of the extremely limited number of vacancies available in Group 'D', applicant was put on the waiting list and as and when a vacancy became available he was considered. In their reply dated 22.12.99 respondents also refer to para 5 of policy instructions dated 30.7.99 (copy taken on record) according to which a candidate can be considered for appointment only 3 times. They state that as applicant was considered for appointment 3 times by a Board of Officers but could not be appointed, he is not eligible for any further consideration for compassionate appointment.

4. Applicant in his rejoinder has contended that there are several other vacancies available in other units, advertisements of which have been published from time to time and he could be considered against any one of those vacancies.

5. In the light of the foregoing discussion, it cannot be said that respondents have contumaciously disobeyed the Tribunal's order. We drop the CP leaving it open to applicant to seek such other remedies as are available to him in accordance with law. Notices are discharged.


(KULDIP SINGH)
MEMBER (J)


(S.R. ADIGE)
VICE CHAIRMAN (A)

/ug/