

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

C.P.No.52/98 in O.A. No.200/97

NEW DELHI, THIS THE 10th DAY OF NOVEMBER, 1998.

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HON'BLE MR.JUSTICE K.M.AGARWAL, CHAIRMAN
HON'BLE MR. R.K.AHOOJA, MEMBER(A)

Mrs.Suresh Bala,
W/o late Shri Raj Pal,
R/o WZ 144, Dasghera,
Todarpur,
New Delhi.

....Applicant.

(BY ADVOCATE SHRI B.N.BHARGAVA)

vs.

1. Mrs.Kiran Aggarwal,
Secretary,
Ministry of Urban Development,
Nirman Bhawan,
New Delhi.
2. Sh.S.C.Vasvdeva,
Chief Engineer (NDZ) II,
C.P.W.D.,
Nirman Bhawan,
New Delhi.

(BY ADVOCATE SHRI R.P.AGGARWAL)

ORDER

JUSTICE K.M.AGARWAL:

This contempt petition was filed for non compliance with the order made on 4.9.1997 in O.A. No.200/1997 by a Single Member Bench of this Tribunal.

2. Claiming herself to be the widow of one Rajpal Singh who was working as Beldar on daily wages (Muster Roll) under the respondents, the applicant filed O.A. No.200/97 for directing the respondents to give her appointment on compassionate grounds. The O.A. was disposed of with the following directions:

"The applicant is directed to make a fresh representation which should contain proof of eligibility, details of economic status and other essential conditionalities as stipulated in the GOI circular dated 30.06.1987. If the representation is made by the applicant within a period of one month from the date of receipt

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of a certified copy of this order, the respondents shall consider the same keeping in view delay, if any, the allegation of discrimination made by the applicant, the reason for not having accorded status of regularisation to the employee after 1979 and if Muster Roll employees are to be covered under this Scheme or not. The said representation shall be disposed within a period of three months from the date of receipt of the same from the applicant. The applicant shall also be informed of the decision, along with a speaking order with reference to her appeal dated 29.02.1996." (29)

Counter filed on behalf of the respondents shows that the aforesaid directions have been carried out by passing an appropriate order on her application dated 30.9.1997. Her claim for compassionate appointment was rejected. The decision was communicated to the applicant by letter dated 6.7.1998, a copy of which has been filed as Annexure CR I.

3. It was argued by the learned counsel for the applicant that the order made is not sufficient compliance with the directions made by the Tribunal. A reference was made to the various points raised by the applicant in her rejoinder.

4. After perusing the Contempt Petition and counter, we are of the view that the directions made by the Tribunal have been carried out by the respondents. As mentioned in the letter dated 6.7.98, Annexure CR I, sent to the applicant, an offer of appointment in work charged staff was sent to the applicant's husband on 14.12.1992. But that could not be complied with by Raipal Singh as he had already died on 14.7.90. Under the circumstances, the applicant was rightly held not entitled to claim any appointment on compassionate grounds as per the criteria laid down by the Department of Personnel as per document dated 30.6.1987 referred to by the learned Member in his order dated 4.9.1997 in O.A. No.200/97. We,

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therefore, find that there is no case to continue with these proceedings for contempt. Accordingly the Contempt Petition is rejected. Rule nisi shall stand discharged.

Km
(K.M.AGARWAL)
CHAIRMAN

R.K.Ahooja
(R.K.AHOOJA)
MEMBER (A)