

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
DELHI

R.A. No. 62/2002 in C.P.No.616/2001
in
O.A. No.512/2000

Dated the 15th March, 2002.

(17)

HON'BLE SHRI JUSTICE ASHOK AGARWAL, CHAIRMAN
HON'BLE SHRI S.K.AGRAWAL, MEMBER (A)

1. Smt. Anar Kali
W/o Late Salig Ram.
2. Dharam Vir
S/o Late Shri Salig Ram,
R/O T-571/K, Baljeet Nagar,
New Delhi - 110 008. Applicants.

Verses

Union of India & Ors. Respondents.

ORDER (BY CIRCULATION)

By the present Review Application, review is sought of an order passed on 16.01.2002 in Contempt Petition No.616/2001 in O.A.No.512/2000. Applicants had instituted O.A.No.512/2000 seeking to impugn an order rejecting their prayer for appointment of applicant No.2 on compassionate grounds. Aforesaid order of rejection was set aside by the Tribunal on 21.05.2001 on the ground that the respondents had taken into consideration the terminal benefits given to family members of the deceased employee. The O.A. was accordingly allowed and the respondents were directed to consider the case of applicant No.2 for compassionate appointment within a period of three months from the date of receipt of a copy of the order and as per the instructions on the subject and in accordance with the observations of the Supreme Court in the case of BALBIR KAUR Vs. SAIL (2000 (4) Scale 670).



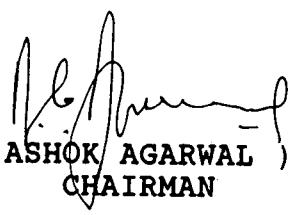
(18)

Since according to the applicants, aforesaid order had not been complied with, they instituted Contempt Petition No.616/2001. Pending the contempt petition, aforesaid application of the applicants for appointment on compassionate grounds was disposed of by an order passed by Brigadier Commandant & MD on 14.01.2002 by giving cogent reasons. After having perused the affidavit as also the order of rejection of the application for compassionate appointment, we have disposed of the aforesaid Contempt Petition on 16.01.2002 by holding that no cause survives to continue with the present contempt petition. We further observed that if at all the applicants were aggrieved by the said order, they may if so advised impugn the same independently. The same cannot be made the subject matter of a contempt petition.

Applicants have now instituted the present Review Application to reargue the contempt petition. They are seeking to impugn the order of rejection passed by Brigadier Commandant & MD on 14.01.2002, which we find had been passed *prima facie* supported by reasons. We have further found that in view of the order of rejection passed by Brigadier Commandant & MD, no cause survives to continue with the present contempt petition and if at all they are aggrieved, remedy of the applicants is to impugn the order independently. Despite the aforesaid observation, the applicants have instituted the present Review Application by seeking to reargue the contempt petition which cannot be permitted. Present Review Application in the circumstances is dismissed by circulation.



(S.K.AGRAWAL)
MEMBER (A)



(ASHOK AGARWAL)
CHAIRMAN