

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

C.P. NO. 616/2001 In
O.A. NO. 512/2000

(21)

New Delhi this the 16th day of January, 2002.

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 Salig Ram

(Both residents of T-571/K
Baljit Nagar, New Delhi-110008) Applicants

(By Shri A.K.Trivedi, Advocate)

-versus-

1. Shri Yogender Narain
Secretary
Ministry of Defence
South Block
New Delhi.

2. Lt.Gen. S.K.Jain
Director General of EME
Army Headquarters, DHQ, P.O.
New Delhi-110011.

3. Brig.Anurag Chandra
Commandant
505, Army Base Workshop
Delh Cantt -110010. ... Respondents

(By Shri Madhav Panikar ,Advocate)

O R D E R (ORAL)

JUSTICE ASHOK AGARWAL: -

Non-observance of directions contained in the
order of 21.5.2001 in OA No.512/2000 is made the basis
of present contempt petition. By the order, following

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directions have been issued:-

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"9. Under these circumstances, I am of the opinion that the impugned order rejecting the prayer of the applicant No.2 for appointment on compassionate grounds cannot be sustained as the respondents while considering the case of applicant No.2 for compassionate appointment, had taken into consideration the terminal benefits given to the family members of the deceased employee. The impugned order is, therefore, quashed and the O.A. is allowed to the extent that respondents shall 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 this order, as per the instructions on the subject and in accordance with the observations of the Hon'ble Supreme Court in the case of Balbir Kaur vs. SAIL (supra). No costs."

After service of the notices of the present contempt petition, respondents have submitted an affidavit containing a speaking order passed on the application of the applicants for compassionate appointment. The order has been passed by the Brigadier Commandant & MD on 14.1.2002, a copy whereof is annexed to the said affidavit. We have perused the same and we find that the claim of the applicants for compassionate appointment has been duly considered and rejected on grounds which have been mentioned in the order.

In our view, having regard to the said order passed, we do not find that any cause survives to continue with the present contempt petition. If at all, the applicants are aggrieved by the said order, they may if so advised impugn the same independently. The same cannot be made the subject matter of a

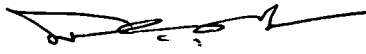
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contempt petition.

Present contempt petition, in the circumstances,
is dismissed. Notices earlier issued are discharged.

No costs.



(S.K. Agrawal)
Member (A)


(Ashok Agarwal)
Chairman

/sns/

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