

CENTRAL ADMINISTRATIVE TRIBUNAL,
PRINCIPAL BENCH,
NEW DELHI.

* * *

(28)

Date of Order: 31.7.92

CCP 228/91 in
OA 570/91

Mrs. ALEYAMMA RAJAN

... PETITIONER.

Vs.

Mrs. BANDANA BHATTACHARYA,
Principal,
Rajkumari Amrit Kaur College
of Nursing,
Lajpat Nagar, New Delhi

... RESPONDENT.

CORAM:

HON'BLE SHRI P.C. JAIN, MEMBER (A).

HON'BLE SHRI J.P. SHARMA, MEMBER (J).

For the Applicant

... SHRI D.R. GUPTA.

For the Respondent

... MRS. RAJ KUMARI CHOPRA.

O R D E R

(DELIVERED BY HON'BLE SHRI J.P. SHARMA, MEMBER (J).)

The petitioner in this CCP against Principal
(By name), Rajkumari Amrit Kaur College of Nursing prayed
for institution of contempt of court proceedings. The
petitioner filed OA 570/91 which was decided on 5.6.91
with the following directions to the respondent:-

"We are, therefore, of the opinion that the
respondent take steps to regularise the services
of the applicant in consultation with the SSC
and the age restriction shall be waived in the
case of the applicant if she has become overage.
The services of the applicant shall not be
dispensed with if there is still a vacancy and
the junior to the applicant is allowed to work
and if that is the case, the applicant should

le

29

also be given the minimum of the pay scale of LDC till she is regularised as said above through SSC w.e.f. the date of this order. The respondent shall comply with the above directions within a period of three months from the receipt of this order. There will be no order as to costs."

The allegations of the petitioner is that she was not allowed to resume the duties nor released her salary.

The alleged contemner filed the reply that letter was written to SSC in pursuance of the judgement but SSC by their letter dated 19.12.91 stated that Deptt. of Personnel & Training be approached for issue of instructions to the commission regarding conduct of examination of the applicant. It was also informed that the next examination was going to be held on 27.9.92. It is further stated that no junior to the applicant was/is working in the college and one general vacancy has been filled up on 15.11.91 through SSC.

We have heard the learned counsel for the petitioner and the proxy counsel for M/s Raj Kumar Chopra appearing for the alleged contemner. It is stated by the counsel that the matter be disposed of on the basis of the pleadings available on record of the above contempt file.

Firstly, the respondent^{e.g.}/alleged contemner has sufficiently complied with the directions in issuing a letter to SSC & also to the Deptt. of Personnel & Training. The LDC exam^{ination} can be taken by the applicant as mentioned in those letters. Regarding reinstatement of the applicant, the direction was to reinstate the applicant provided the junior to the applicant is working and also there is a vacancy. No junior to the applicant as stated in the

36

reply is working and instead a regular candidate from SSC has joined. The principal has sworn an affidavit in which she deposed that Rajni Aggrawal's services were terminated on 1.8.91. She was appointed on 2.2.91 for a period of six months.

Thus, we find that no case for contempt is made out. The notice issued is discharged.

Jomane

(J.P. SHARMA) 31.7.92
MEMBER (J)

Clear 31/7/92
(P.C. JAIN)
MEMBER (A)