

(99)

CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH

C.P.No.117/99

IN

OA No.989/92

New Delhi: this the 29th day of September, 2000.

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

HON'BLE DR.A.Vedavalli, MEMBER(J)

Smt.Raj Rani Dutta,
R/o B-81/A, Kalkaji,

New Delhi

.....Applicant.

(By Advocate: Shri Jagjit Singh)

Versus

1. The Labour Commissioner,
Delhi Administration,
15, Rajpura Road,
Delhi-54

.....Respondents.

(By Advocate: Shri Rajinder Pandita)

ORDER

Mr. S.R.Adice, VC(A):

Heard both sides on C.P.No.117/99 alleging contumacious non-compliance of the Tribunal's order dated 6.5.97 in OA No.989/92.

2. By that order respondents had been directed to consider Applicant's case for appointment as a Full time Lady Handicraft Teacher against any vacancy that may be available or arise in future in accordance with the Recruitment Rules (emphasis supplied).

3. Respondents in their reply have stated that applicant's case was considered but as applicant's date of birth is 8.1.43 and she had crossed 54 years of age even at the time of the passing of the aforesaid order, and the maximum age for recruitment as Lady Handicrafts Teacher as per Recruitment Rules is 35 years,

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it was not possible to appoint applicant to the post.

4. In the light of the above, respondents cannot be said to have committed contempt of Court. Applicant's counsel has contended that in certain other cases respondents have relaxed the age limit and are following a pick and choose policy.

5. Whatever may be the truth of that allegation, the same cannot be adjudicated in contempt proceedings. Hence giving liberty to applicant to seek such other remedies as are available to her in accordance with law, these contempt proceedings are dropped. Notices discharged.

A. Veda Valli
(DR. A. VEDAVALLI)
MEMBER (J)

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

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