

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL, ADDITIONAL BENCH
ALLAHABAD

Dated: This the 16 day of May 1997

Coram : Hon'ble Mr. T. L. Verma JM
Hon'ble Mr. S. Dayal AM

Contempt application no. 55 of 1996

IN

ORIGINAL APPLICATION NO. 486 of 1993

Bal Kishori Devi and another- - - - - Applicants

C/A Sri Anil Kumar

Versus

Sri G.K.Khare, Chairman, Railway

Board, New Delhi and others- - - - - Opposite parties

ORDER

By Hon'ble Mr. T.L.Verma JM

This application has been filed for the alleged breach of the directions issued by the bench of the Tribunal in O.A. No.486/93.

2. The aforesaid O.A. was filed for quashing of orders dated 8.4.1991 and 9.6.1992 and for issuing directions to the respondents to appoint Ashok Kumar Sharma on compassionate ground. This O.A. was disposed of with the following directions.

7K


" Under the circumstances, a direction is issued to the respondents to reconsider the case for appointment on compassionate ground of appointment of applicant no.1 in accordance with instructions of the Ministry of Railway's letter dated 25.5.1980. This would be done within a period of 3 months of the intimation of this order by the applicants to the respondents alongwith a fresh application for compassionate appointment. There shall be no order as to costs. "

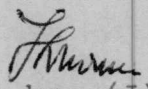
3. The petitioner alleges that the respondents have committed deliberate and intentional breach of the aforesaid directions by not appointing the said Ashok Kumar Sharma on compassionate ground.

4. The respondents appeared and filed C.A. as well as Supp.C.A. and denied the allegations made against them. It has been stated that the said Ashok Kumar Sharma had already been ~~appointed~~ given offer of appointment for undergoing 60 days training at Zonal Training Centre, Mirzapur, before being posted on the post of Trains Clerk. He has already joined the training programme which commenced w.e.f. 16.4.1997. The applicant has not filed any R.A., denying the aforesaid averments. In view of the above, we find no reasons not to believe the statement of the learned counsel for

the respondents that the said Ashok Kumar Sharma has already been offered appointment on the post of Trains Clerk and that he is undergoing the required training before joining the said post. In view of this we find that the directions of the Tribunal have been, substantially, ~~have~~ complied with, though there has been some delay. This delay, however, does not appear either deliberate or intentional.

5. In view of the above, we find no merit in this contempt application. Contempt proceedings are therefore, dropped and notices issued are discharged.


Member (A)


Member (J)

SQI