

(OPEN COURT)

**CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD**

Allahabad this the 01st day of April, 2005.

CONTEMPT PETITION No. 29 OF 2004.

**HON'BLE MR. JUSTICE S.R. SINGH, VICE-CHAIRMAN.
HON'BLE MR. S.C. CHAUBE, MEMBER- A.**

Smt. Asha Devi W/o Late Sohan Lal
R/o 14, Meyo Road, Manmohan Park,
Katra, Allahabad.APPLICANT

Counsel for the Applicant :- Sri Mohan Yadav

V E R S U S

Shailendra Kumar Singh,
Deputy Accountant General
(Account & Audit), 1st Floor,
(Administration), Allahabad,RESPONDENTS

Counsel for the Respondents :- Sri S. Chaturvedi

O R D E R

BY HON'BLE MR. JUSTICE S.R. SINGH, VC.

By order dated 15.11.2002 the Tribunal while disposing of OA No. 1330/2002, Smt. Asha Devi Vs. U.O.I & Ors directed the respondents to consider the representation filed by the applicant ^{& which is} dated 17.07.2002 and pass a detailed and reasoned order within a period of three months from the date of receipt of copy of the order.

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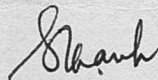
2. It appears that the husband of the applicant Late Ishwar Lal, a Clerk in the A.G. Office, Allahabad, died in harness and after his death, the applicant was given pension but Sri Sohan Lal, younger brother of Late Sri Ishwar Lal proposed to marry the applicant with condition that he would look after her and her children. Accordingly she married Sri Sohan Lal and requested the department to give compassionate appointment to Sri Sohan Lal. On her application, the pension was stopped and Sri Sohan Lal was given appointment in the year 1976 itself. It appears that in 1985 Sri Sohan Lal married with another lady and after that he stopped taking interest ~~either~~ in applicant's family or looking after them. Being aggrieved the applicant moved an application to the respondents narrating all the facts and requesting therein to give the said appointment to her instead of Sri Sohan Lal. It was the said application which the respondents were directed to decide by order passed by the Tribunal.

3. In CA filed by Sri Shailendra Vikram Singh, Dy. Accountant General (Admn.), Office of the Accountant General (Accounts & Entitlement)- I, U.P., Allahabad, it has been stated that no such representation had been received in his office. However, letter dated 07.10.2003 was issued to the applicant from the office of Principal Accountant General (Audit)- I, U.P intimating that Sri Sohan Lal was not appointed

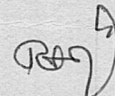
RAJ

on compassionate grounds. The applicant was also asked to produce certificate of having more than one ~~child~~ ^{child} ~~children~~ from Sri Sohan Lal, if any, as Sri Sohan Lal had denied that he had three babies from the applicant. The applicant failed to produce birth certificate of other two babies. However, disciplinary action against Sri Sohan Lal regarding bigamy is under progress. In the circumstances, ~~it~~ ^{is} ~~stated~~ ^{has}, action on the representation filed by the applicant ~~had~~ ^{has} already been taken even before service of notice.

4. In the circumstances, therefore, we do not find it a fit case for proceeding in contempt jurisdiction and the contempt application is dismissed. Notices are discharged.



Member- A.



Vice-Chairman.

/ANAND/