

**CENTRAL ADMINISTRATIVE TRIBUNAL  
AHMEDABAD BENCH, AHMEDABAD.**

**CP No.17/2015 in OA No.445/2013**

**This the 25<sup>th</sup> day of August, 2021.**

**Coram : Hon'ble Shri Jayesh V.Bhairavia, Member (J)  
Hon'ble Dr. A.K.Dubey, Member (A)**

Shri Kamalbhai Narshibhai Chavda.  
Aged 34 years, Occu.. Nil.  
Residing Near Government Dispensary,  
At and Post : BET, Taluka - Dwarka  
District : Jamnagar  
Pin 361 330. .... Applicant

( By Advocate : Shri Hasit H. Joshi)

**VERSUS**

1. Shri Rakesh Mishra or his successor in the office  
Chief Commissioner of Customs and  
Central Excise, Gujarat Zone,  
2<sup>nd</sup> Floor, Customs House,  
Opp. Old Gujarat High Court,  
Navrangpura, Ahmedabad 360 009.
2. Shri Padamanathan or his successor in the office  
Commissioner of Central Excise and Customs,  
Office of the Commissioner of Central Excise and Customs,  
Central Excise Bhavan, Race Course  
Ring Road, Rajkot. 360 001.
3. Mr. Dharul Beneval or his successor in the office  
Commissioner Customs  
Customs (Prev) HQ  
Customs Division Sharda House,  
Bedi Road,  
Jamnagar ..... Respondents

(By Advocate : Ms. R.R..Patel )

**ORDER (ORAL)**

**Per : Hon'ble Shri J.V. Bhairavia, Member (J)**

1. Heard Shri H.H.Joshi, counsel for the applicant and Ms. R.R.Patel, standing counsel for the Opponents.
2. Standing counsel for the Opponents submits that the Opponents have filed their additional reply and explained the procedure adopted by them for considering the appointment for compassionate ground. It is noticed that the case of the applicant was also considered. She, however, submits that the applicant could not offer an appointment on compassionate ground since the applicant gain low merit in merit points assessment compared to other applicants in the said list.
3. On the otherhand, Shri H.H.Joshi counsel for the applicant submits that though the applicant has submitted representation in the year 1995, the respondents have considered the case of other applicants who have submitted their representation subsequent to the year 1995 and the applicant has been placed at Sl.No.27 . He further submits that since the Screening Committee had recommended the name of the applicant and the same has been placed at Sl. No.27, the respondents may consider the case of the applicant in next DPC.
4. At this stage, we are concerned with the present Contempt Petition. We have gone through the additional affidavit filed by the Opponent and satisfied that the sufficient compliance has been made.

**5.** In view of this, the Contempt Petition stands dropped. Notice to the alleged contemnor stands discharged.

**(A.K.Dubey)**  
**Member (A)**

**(J.V.Bhairavia)**  
**Member (J)**

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