

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

CONTEMPT PETITION NO.060/00062/2020

IN

ORIGINAL APPLICATION NO.060/00384/2019

DATED THIS THE 19TH DAY OF MARCH, 2021

CORAM:

HON'BLE SHRI SURESH KUMAR MONGA, MEMBER (J)

(On video conference from Central Administrative Tribunal, Bangalore Bench, Bangalore)

HON'BLE SMT AJANTA DAYALAN, MEMBER (A)

(On video conference from Central Administrative Tribunal, Chandigarh Bench, Chandigarh)

Ram Kumar
aged about 38 years
son of late Yash Pal,
Resident of H. No. 548,
Tribune Colony, Kansal,
PO Nayagaon, Distt. SAS Nagar,
Mohali 160103.

....Petitioner

(By Advocate Shri Ashok Giri – through video conference)

Vs.

1. Sanjay Sahani,
Executive Engineer Project
P. H. Divn No. 3,
Addl. Deluxe Building,
Sec-9, Chandigarh 160009.

.....Respondent

(By Advocate Shri Mukesh Kaushik – through video conference)

ORDER (ORAL)

PER: SURESH KUMAR MONGA, MEMBER (J)

The present Contempt Petition has been filed by the petitioner alleging wilful disobedience of the order dated 14.02.2020 passed by this Tribunal in OA No. 60/00384/2019. Pursuant to notices issued by this Tribunal, the respondents have placed on record a copy of the order dated 16.02.2021 in compliance of the order passed by this Tribunal. The operative portion of the said order is reproduced here as under:

'Whereas the case of applicant was considered for relaxation of qualification as per Model Recruitment Rules Point No. 5 (d) and order of Hon'ble CAT dated 20/02/2020. But the documents submitted by the applicant are contradictory. As, first of all, the School whose certificates have been submitted, does not exist anywhere. Moreover, the School certificate bears no address. Secondly, the certificates submitted by the applicant on different dates have different information as follows:-

<i>Sr. No.</i>	<i>Detail</i>	<i>First Certificate</i>	<i>Second Certificate</i>
<i>1</i>	<i>Date of Admission</i>	<i>10.04.1997</i>	<i>15.04.1987</i>
<i>2</i>	<i>Admission No.</i>	<i>2947</i>	<i>984</i>
<i>3</i>	<i>Class Admitted</i>	<i>Nursery</i>	<i>Pre-Nursery</i>
<i>4</i>	<i>Class in which promoted</i>	<i>8th</i>	<i>9th</i>

Whereas, this clearly shows the documents are fake. On the verification of documents, the Committee rejected the case of the applicant on the plea that when a person is submitting forged documents initially then how he can be fair during his service. Therefore, the Compassionate Appointment Committee did not grant the relaxation in qualification.

The Committee observed that since the relaxation in education qualification of a post can be given where there are two limits to give relaxation, however, in the instant case, there exists no two limits, to consider the case for giving the relaxation and as such it is not

feasible for the committee and therefore, the committee concurred the view of the Executive Engineer, P.H. Divn. No. 3 office order No. 30 dated 1/2/2021 and recommended to reject the case for appointment of applicant on compassionate grounds. The copy of Minutes of Meeting is attached.

NOW, THEREFORE, the undersigned considered his case after going through the all facts and circumstances of the case of the said Shri Ram Kumar son of Late Shri Yashpal, Beldar (expired) vis-a-vis proof of doubtful educational qualifications as well as non-existence of St. Sophia School who have issued the certificates which does not bear any address nor any contact number, on the basis of minutes of meeting of Compassionate Appointment Committee held on 9/2/2021 at 4.00 PM and as per relaxation of qualification Model Recruitment Rules Point No. 5 (d), the undersigned being the competent authority of Group-D posts, rejected the claim of the said Shri Ram Kumar son of Late Shri Yashpal, Beldar (expired) for offering Compassionate appointment being devoid of any merit with the doubtful educational qualifications.'

2. In view of the order dated 16.02.2021 issued by the respondents, we do not find any case of wilful disobedience to order dated 14.02.2020 passed by this Tribunal.
3. Accordingly, the Contempt Petition is hereby dismissed.
4. Rule of the Court is discharged.

(AJANTA DAYALAN)
MEMBER (A)

(SURESH KUMAR MONGA)
MEMBER (J)

/ksk/