

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

Allahabad, this the 22nd day of March, 2004.

QU-ORUM : HON. MRS. MEERA CHHIBBER, J.M.
HON. MR. S.C. CHAUBE, A.M.

CCA 227 of 2003 in O.A. No.1610 of 1999

Smt. Ram Dulari & others.....Applicants.

Counsel for applicants : Sri S. Ram.

Versus

Sri I.P.S. Anand & others.....Respondents.

Counsel for respondents : Sri A.K. Gaur.

O R D E R

BY HON. MRS. MEERA CHHIBBER, J.M.

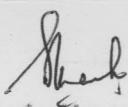
This contempt petition was filed by the applicant alleging disobedience of the order dated 31.3.2003 passed in O.A. No.1610/99 wherein it was felt necessary to bring the allegation made by the applicant to the notice of higher authorities so that he may look into the matter and try to find out if there is any truth in the allegations made by applicant against the Welfare Inspector. Now Divisional Railway Manager has passed speaking order dated 3.3.2004 stating therein that after examining all the facts he has come to the conclusion that there is no appropriate merit for provision of engagement of nominee of Smt. Ram Dulari on compassionate ground in the Railway administration.

2. Counsel for the applicant submitted that the direction was given to the General Manager whereas the order has been passed by the Divisional Railway Manager, therefore, this cannot be said to be the compliance as such, this kind of order cannot be accepted. After all when we passed the order our intention was to bring these facts to the notice of higher authorities so that they may look into the matter. It is seen that Divisional Railway Manager has already nominated Dy.C.P.O. to conduct the enquiry, therefore, as soon as enquiry is completed, the



Divisional Railway Manager shall place the same before Court along with affidavit. Since D.R.M. is a senior officer and he has already nominated another officer to enquire into the matter, the contention of applicant's counsel is rejected. Even otherwise on the basis of record available with them, he has come to the conclusion that the claim of the applicant for compassionate appointment is not sustainable.

3. We are, therefore, satisfied that no case for contempt has been made out. Accordingly the Contempt Petition is dismissed and the notices issued are discharged.



A.M.



J.M.

Asthana/