

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH, ALLAHABAD.

CCA No.229 of 2003.
Allahabad this the 10th day of January, 2005.

Hon'ble Mr. A.K. Bhatnagar, Member- J.

Hon'ble Mr. D.R. Tiwari, Member- A.

Smt. Sunita Devi Wife of Late Santosh Kumar
R/o 519, Rohtanpur, PO- Shikohabad,
Distt. Firozabad, U.P.

.....Applicant

Counsel for the applicant :- Sri L.M. Singh

V E R S U S

H.M. Cairae, Commissioner, Kendriya vidyalaya Sangathan,
18- Institutional Area, Sabhjeet Singh Marg,
New Delhi, 110016.

.....Respondents

Counsel for the respondents :- Sri D.P. Singh

O R D E R

By Hon'ble Mr. A.K. Bhatnagar, JM

This contempt application has been filed by the applicant for punishing the respondent for wilful disobedience and non-compliance of the order dated 25.11.2002 passed in O.A No. 1496/2001 by which following direction was given :-


" I feel, in the circumstances, the ends of justice will be duly met, if I direct the respondents to consider the case of the applicant for appointment on casual/ daily wages/adhoc/contract basis in terms of para 7(c) of scheme for compassionate appointment, 1988 within a period of three months from the date of receipt of a copy of the present order and accordingly the impugned order stands modified in temrs of the aforesaid direction."

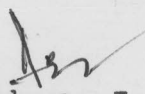
2. Notice was issued in this case after hearing counsel for the applicant on 06.01.2004. Vide order dated 29.04.2004 respondent was directed to place on the record the contract which is given to the agency for carrying out the safai work and also the names of such workers who have been provided by such agents. On the arguments advanced by the respondent's counsel that the respondents are not engaging any person

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on casual/daily wages/adhoc/ or contract basis but the entire contract is given to one agency who provides all these people for the work entrusted to the agent. In pursuance to this order, the learned counsel for the respondent filed Suppl CA alongwith MAs 2924/04 and 2925/04 which are taken on record. Learned counsel for the respondents invited our attention to para 9 and 10 of the Suppl. CA and has submitted that the respondents have made compliance of the order passed by the Tribunal on 29.04.2004. Learned counsel further submitted that no such sweeper namely Sri Ramveer has been engaged by the Vidyalaya as alleged by the applicant in the contempt petition. In support annexure- 2 has been filed , as stated in para 9. It is submitted that the contractor is not providing a particular worker for a particular work for each day and it is not possible to give ^{specific} name of any particular worker as engaged by the contractor for safai work. as stated in para 10 of the Suppl. CA.

3. Heard counsel for the parties and have gone through the Suppl. CA filed by the respondent as well as annexures filed alongwith it. Accordingly, we find no case of contempt is made out against the respondent, therefore, the contempt petition is dismissed. Notice issued is discharged. However, the applicant, if aggrieved, may come on the original side regarding his grievances.


Member- A.


Member- J.

/Anand/