

OPEN COURT

**CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD  
BENCH ALLAHABAD**

( THIS THE 3<sup>rd</sup> DAY OF NOVEMBER, 2009 )

PRESENT :

**HON'BLE MR. JUSTICE A.K. YOG, MEMBER-J**  
**HON'BLE MR. S. N. SHUKLA, MEMBER-A**

**CIVIL MISC. CONTEMPT APPLICATION NO.106/2008  
IN  
ORIGINAL APPLICATION NO. 167 OF 2005  
(U/s, 19 Administrative Tribunal Act.1985)**

Smt. Chhedi Devi alias Jagdeiya aged about 52 years, wife  
of Late Shree Ram, Resident of Village Shahjadipur,  
Majare Ramwan, Post Ramwan, District-Fatehpur.  
.....Applicant/Petitioner

By Advocate : Shri A.D. Singh

Versus

1. Shri Vivek Sahai, General Manager, North Central  
Railway, Allahabad.
  2. Shri Deepak Dave, Divisional Railway Manager, North  
Central Railway, Allahabad.
- ..... Contemnor/Respondents

By Advocate : Shri Gautam Chaudhary

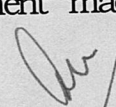
**ORDER**

**(DELIVERED BY: JUSTICE A. K. YOG- MEMBER-JUDICIAL)**

Heard Shri A.D. Singh, Advocate appearing for the Applicant.

2. Affidavit of 'compliance' dated 24.2.2009 (filed through  
Gautam Chaudhary, learned counsel representing the Respondents) is  
not disputed by the Applicant.

3. Learned counsel for the Applicant, however, submits that  
claim of 'Compassionate Appointment' made by the Applicant has





not been considered/entertained though it was subject matter of the O.A. He refers to para 1 of the order dated 18.3.2008.

4. We have perused the concluding para 7 of the order dated 18.3.2008, it reads:-

*"7. In view of the discussions made above, the O.A. succeeds and is allowed. Impugned order dated 25.10.2004 is quashed and set aside. The respondents are directed to release the amount of GPF, Insurance, DCRG etc, according to rules and law, which should equally be distributed amongst the legal heirs of Late Shree Ram. As the husband of the applicant was working as Gangman, a regular employee of the Railways, respondents are further directed to release the family pension in favour of the applicant as per Rules. The entire exercise shall be completed within a period of three months from the date of receipt of copy of this order".*

5. There is no direction for considering compassionate appointment. Apparently, claim of compassionate appointment was not pressed while O.A was heard and decided. Contention is misconceived. No ground to maintain Contempt Petition survives and the C.C.P is rendered infructuous. Contempt notice/s stand disclosed and record of C.C.P to be consigned to record.

6. Contempt Petition dismissed as infructuous. No costs.

  
Member (A)

  
Member (J)

Manish/-