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OPEN COURT

Central Administrative Tribunal Allahabad Bench

Allahabad.

Allahabad This The 17th Day of September 2008.

Civil Misc. Contempt Petition No. 122 of 2008.

In

ORIGINAL APPLICATION NO. 1513 OF 2005.

Present:

Hon'ble Mr. Justice A.K. Yog, Member (J)
Hon'ble Mrs. Manjulika Gautam, Member (A)

Shri Sanjeev Kumar Srivastava, aged about 21 years,
S/o Suresh Chand R/o Mohalla Chaudhriyaba, Post
Kampil, District Farrukhabad.

.....Applicant

By Advocate: Shri Alpana Dwivedi.

Versus.

Neelam Srivastava, Chief Post Master General, U.P.
Circle, Lucknow.

.....Respondents.

O R D E R

Delivered by Justice A.K. Yog, Member (J)

According to the averment made in the present contempt petition, applicant had filed Original Application NO. 1513/05 (Annexure I to the contempt petition) claiming compassionate appointment. This Tribunal issued certain direction, which required certain exercise to be undertaken and on that basis compassionate appointment was to be made. According to the applicant, he made representation raising his grievance by means of representation dated 27.7.2008 (Annexure 3 to the contempt petition). According to the applicant, department has not responded in view of directions given by the Tribunal in its final order dated 17.7.2007 passed in O.A No. 1513/05. We find that there is no hard and fast line drawing of offering the compassionate appointment. It is only

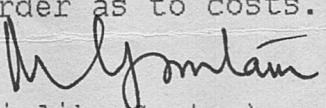
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for the Department that Department is required to undertake exercise to find out the vacancy and to adjudge suitability on the basis of certain inquiry requiring collection of information and no statutory scheme can be forwarded.

2. In view of the above, we direct the applicant to file certified copy of this order alongwith copy of the Contempt Application (with all Annexures) as well as additional representation, (if so advised) within 4 weeks from today before respondent NO. 3 and said Authority shall, provided certified copy of this Order is filed within the time stipulated herein above, consider above referred representation (if any), within 4 weeks of receipt of certified copy of this Order by passing reasoned and speaking order in accordance with law. We refuse to issue show cause notice to the opposite party in exercise of our contempt jurisdiction.

3. With the aforesaid observation, contempt petition is disposed of.

4. No order as to costs.


(Manjulika Gautam)

Member (A)


(Justice A.K. Yog)

Member (J)

Manish/-