

CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

CALCUTTA

No.M.A.582 of 98  
(O.A.965 of 96)

Present : Hon'ble Mr. D. Purkayastha, Judicial Member

1. UNION OF INDIA THROUGH THE SECRETARY, MINISTRY OF URBAN DEVELOPMENT, NEW DELHI.
2. THE CHIEF ENGINEER(E. Z.), CENTRAL PUBLIC WORKS DEVELOPMENT CALCUTTA.
3. THE SUPERINTENDING ENGINEER, CALCUTTA, CENTRAL CIRCLE No.II, C.P.W.D. , CALCUTTA.
4. THE EXECUTIVE ENGINEER, D.C.D. No.I, C.P.W.D. , CALCUTTA.
5. THE SUPERINTENDING ENGINEER, CO-ORDINATION CIRCLE (E. Z.), C.P.W.D. , CALCUTTA.

VS

GWESWARI, DEVI & ANR.

For the applicants : Mr. S.K. Dutta, counsel (respondents in O.A.)

For the opposite party : Mr. P. Chatterjee, counsel  
Ms. U. Bhattacharjee, counsel

Heard on : 18.01.99

Order on : 18.01.99

O R D E R

Heard ld. counsel of both the parties. Mr. Dutta appears on behalf of the respondent-applicant who sought for extension of time for consideration of the case of the applicant (respdt. in O.A.) on the ground that after receipt of the order the Chief Engineer (Eastern Zone), C.P.W.D., Calcutta referred the matter to the Director General for opinion on 14.10.98. but till date no reply has been received by the office of the (Eastern Zone) Chief Engineer/ C.P.W.D., Calcutta.

2. Mr. Chatterjee alongwith Ms. Bhattacharjee submits that the very purpose of the appointment on compassionate ground is going to be frustrated due to laches and omission on the part of the applicants(respondent in O.A.) despite clear opinion given in the order dated 9.6.98. Applicants (respdts in O.A.) unnecessarily referred the matter to the Director General for opinion. <sup>is stated</sup> ~~It is stated~~ that the reasons for non-appointment has been turned on by the Tribunal as disclosed in the earlier reply ~~submitted~~ before this Tribunal by the respondents(in O.A.)
3. In the aforesaid circumstances, <sup>known that</sup> it was never stated by the respondents(in O.A.) in the counter reply to the O.A. that opinion of the Director General was required for the purpose of appointment on compassionate grounds. So, the earlier status when the matter was disposed of by the Tribunal on 9.6.98 cannot be disturbed by the applicant respondents now. So, the conduct of the respondents(in O.A.) does not speak well for the purpose of implementation of the judgment of this Tribunal.
4. However, a last chance is given to the respondent-applicant to consider the case of the applicant for the purpose of appointment as per observation made in the O.A. without adding new grounds for rejection within two month from today. Accordingly the M.A. is disposed of.
5. No order is passed as to costs.

*Han*  
18/12  
( D. PURKAYASTHA )  
MEMBER(J)