

CENTRAL ADMINISTRATIVE TRIBUNAL, JODHPUR BENCH,
J O D H P U R

Date of order: 14.2.1996

O.A.NO.38/1996

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KAMLESH KUMAR BHAGWANI : Applicant

V.

UNION OF INDIA AND OTHERS : Respondents

Present

Mr. Daulat Singh, Representative, appeared on behalf of the applicant.

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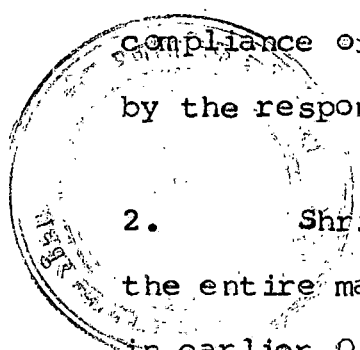
THE HON'BLE MR. N. K. VERMA, ADMINISTRATIVE MEMBER
THE HON'BLE MR. RATTAN PRAKASH, JUDICIAL MEMBER

Per Hon'ble Mr. N. K. Verma :

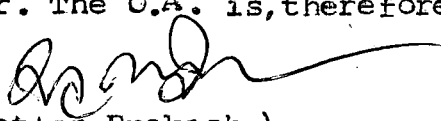
Heard Shri Daulat Singh on behalf of the applicant Shri Kamlesh Kumar Bhagwani, who is a physically handicapped person. He has agitated through this O.A. for a direction to the respondents to determine the vacancy meant against the physically handicapped persons and consider the case of the applicant for appointment thereto. The matter in this regard was agitated earlier also in O.A. No.491/94 which was disposed of by an order dated 17.1.1995 by which the respondents were given directions to examine the representation of the applicant in the light of relevant rules and give him a speaking order in the matter. The respondents, accordingly, had through the impugned order at Annex.A-1 dated 2.5.1995 had informed the applicant details of his

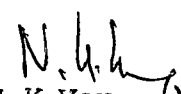
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application and the reasons why he was not appointed, since no quota for the physically handicapped persons had been worked-out as the requirement was for less than .5 which has been ignored as per the existing orders. The applicant filed a Contempt Petition in the matter also which was disposed of by an order dated 3.8.1995 wherein, the reply given by the competent authority dated 21.4.1995 was taken into account and the Contempt Petition was disposed of as substantial compliance of the Tribunal's order had been taken by the respondents.



2. Shri Daulat Singh has tried to re-agitate the entire matter when this issue was already adjudicated in earlier O.A. and a judicial proceedings had come to a finality. The present O.A. is hit by constructive resjudicata and this matter can not be agitated any further. The O.A. is, therefore, dismissed at the admission/ stage


(Rattan Prakash)
Member (Judl)


(N.K.Verma)
Member (Adm)

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Copy of order dated 14-2-96
along with copy of OA with amount
sent to R-1 ~~to~~ R-4 by Regd
Post vide no 99 to 102
date 12-3-96

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12.3.96

As
12/03/96
20.2.96