

**CENTRAL ADMINISTRATIVE TRIBUNAL,
LUCKNOW BENCH,
LUCKNOW.**

C.C.P. No. 48 of 2012

In re.

Original Application No. 543 of 2006

Reserved on 19.11.2013

Pronounced on 18th November, 2013

Hon'ble Mr. Navneet Kumar, Member-J

Hon'ble Ms. Jayati Chandra, Member-A

Manoj Kumar, aged about 37 years, S/o late Sri Ramraj Ram, R/o 1/411 Sector N, Aliganj, Lucknow.

.....Applicant

By Advocate : Sri Praveen Kumar.

Versus.

1. Sri R.H. Khwaja, Secretary, Department of Mines & Minerals, Government of India, New Delhi.
2. Sri A. Soondarmurthy, Director, Geological Survey of India (Northern Region), Sector E, Aliganj, Lucknow.
3. Sri D.M. Mohabe, Deputy Director General, Geological Survey of India (Northern Region), Sector E, Aliganj, Lucknow
4. Sri Sona Sett, the Director Personnel & Administration & Head of Office Geological Survey of India (Northern Region), Sector E, Aliganj, Lucknow

.....Respondents.

By Advocate : Sri S.P. Singh.

ORDER

Per Ms. Jayati Chandra, Member (A)

The present Contempt petition has been filed by the petitioner for non-compliance of judgment and order dated 30.5.2007 passed in Original Application No. 543 of 2006. The operative portion of the order reads as under:-

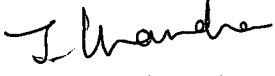
".....O.A. is finally disposed of with a direction to the respondent no.3 to get the case of applicant for compassionate appointment reconsidered once more in the light of the relevant guidelines on the subject on occurrence of vacancy in 5% quota in future. O.A. stands disposed of accordingly. No order as to costs."

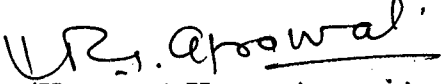
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2. Pursuant to the aforesaid judgment and order of this Tribunal, the respondents went to Hon'ble High Court for judicial scrutiny by filing Writ petition No.387 (S/B) of 2008, but no stay order has been granted by Hon'ble High Court.
3. The present CCP has been filed before this Tribunal on 3.12.2012 for non-compliance of judgment and order of this Tribunal dated 30.5.2007. The petitioner has averred in the CCP that his case has not been considered for appointment on compassionate ground in the minutes of meeting of Compassionate Appointment Committee held on 7.8.2012 and taking cognizance of the same, notices were directed to be issued to the respondents-contemnors vide order dated 5.12.2012.
4. The respondents have filed Short Counter Affidavit praying for dismissal of CCP as not maintainable on the ground that the petitioner failed to submit information regarding moveable and immovable property which has been sought vide letter dated 18.6.2013. The applicant vide letter dated 19.6.2013 has sought some more time to provide the required information. It is also pleaded by the respondents that they have sent a letter dated 19.6.2013 enclosing therewith the prescribe format requiring the petitioner to fill up and submit alongwith the documents regarding movable and immovable property. The petitioner has failed to provide the same in spite of reminder having been issued in this regard. However, once the requisite information is required, the respondents will consider the case of the applicant as has been directed.
5. Since the petitioner himself failed to submit the required information as sought for by the respondents-contemnors in spite of sufficient opportunities having been given to him, and in view of the statement of the respondents, we are of view that there is no case of willful disobedience on the part of the respondents-contemnors.
6. In view of the aforesaid, CCP fails and is accordingly dismissed. Liberty is given to the petitioner to revive this

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CCP if the case of the applicant is not considered in next meeting of Compassionate Appointment Committee. Notices issued to the respondents are hereby discharged.


(Ms. Jayati Chandra)
Member (A)


(Navneet Kumar)
Member (J)

Girish/-