

CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH, LUCKNOW

CCP No. 59/2006 in Original Application No.426/2004

This, the 30 th day of August, 2011

HON'BLE JUSTICE ALOK KUMAR SINGH, MEMBER (J)
HON'BLE SHRI S.P. SINGH, MEMBER (A)

Smt. Sanju Devi aged about 41 years wife of late Mohan Chaudhary r/o Bangali Tola, Kharika Telibagh, lucknow.

Applicant.

By Advocate: Sri A.P.Singh

Versus

1. Surg. Vice Adm. V.K.Singh, Director General Armed Forces, Medical Services (D.G. 2-B) Army Head Quarters , Block , New Delhi.
2. Brig. U.B. Tripathi, Commandant, Armed Forces Medical Stores Depot, Lucknow.
3. Lt. Col. S.K. Prasad, Admn. Officer (Civ.) Armed Forces, medical Stores Depot, Lucknow.
4. Lt. Gen. Naresh Kumar, Director General, Armed Forces, Medical Services (M) Block, AHQ, New Delhi.
5. Brig. Ravi Kale, Commandant, AFMSD , Lucknow.
6. Lt.Col. S.K. Bhardwaj, Admn. Officer, AFMSD, Lucknow.

Respondents.

By Advocate: Sri S.P.Singh

ORDER (Dictated in Open Court)

By Hon'ble Shri Justice Alok Kumar Singh, Member (J)

This CCP has been filed for alleged disobedience of this Tribunal's order dated 8.7.2005 passed in O.A. No. 426/2004.

2. The respondents have filed a counter affidavit saying that compliance has already been made. It has been contended on their behalf that they have considered the case of the applicant for compassionate appointment under the scheme. Since there was no vacancy available, the case of the applicant was rejected.
3. From the side of the applicant, it is emphasized that in view of O.M. dated 5.5.2003 (Annexure-2 page 12 of the contempt petition), the applicant is entitled to be considered two times more.
4. We have carefully considered the pleadings on record and also heard the learned counsel for parties.

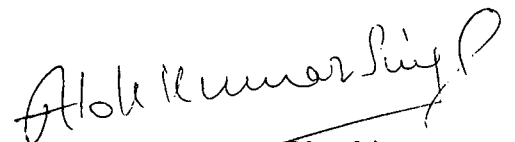


5. Indisputably, the applicant is eligible for further consideration for appointment on compassionate ground in view of the provisions envisaged in O.M. dated 5.5.2003. At this stage, it would not be out of place to mention that even in the embargo of consideration for three times has been set at rest and this O.M. has been quashed by the Hon'ble High Court of Judicature at Allahabad. Therefore, to meet the ends of justice, we direct the respondents to further consider the case of the applicant in accordance with the latest instructions/ provisions/ rules as and when vacancy arises along with other applicants who may be waiting for being considered for compassionate appointment.

6. With the aforesaid observations, notices issued to the respondents are hereby discharged for the present and contempt proceedings are dropped.



(S.P. Singh)
Member (A)


(Justice Alok Kumar Singh)
Member (J)

HLS/-