

Central Administrative Tribunal Lucknow Bench Lucknow

C.C.P. No. 77/2006 In O.A. 254/2002
Lucknow, this the 2nd day of June, 2008.

Hon'ble Mr. Shankar Prasad, Member (A)
Hon'ble Mr. M. Kanthaiah, Member (J)

Afzal Ahmed aged about 27 years Late Israr Ahmed Village & Post Megh Chappar ,
Distt. Saharanpur.

Applicant

By Advocate Sri Amit Verma for Sri A. Moin.

Versus

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

Respondents.

By Advocate :Sri K. K. Shukla

Order (Oral)

By Hon'ble Mr. Shankar Prasad, Member(A)

The instant C.C.P. has been moved in action of the respondents in not fully complied with the order dated 30.5.2003 passed in O.A. 254/2002. The applicant has preferred the present contempt petition.

2. Pursuant to the orders of the Tribunal dated 30.5.2003, the applicant had been offered employment as GDS, Saharanpur vide order dated 3.11.2003. The C.C.P. had been moved on 22.8.2006 stating therein that the person much lower down in the seniority list of GDS, had been offered Group D post without offering the same to the applicant in the first instance.

3. The respondents in their compliance report dated 22.11.2007 have brought on record a copy of the letter dated 19.11.2007 addressed to SSPO, Saharanpur. Para 7 and 8 of this order are as under:

"7. Therefore action should be taken to appoint Shri Afzal Ahmad in Group 'D' cadre on compassionate grounds against the existing/future vacancy in Group 'D' Cadre in Saharanpur Postal Division. The appointment shall be subject to outcome of WP No. 1526/2003 (SB) filed by Department before Hon'ble High Court, Lucknow which is pending for decision.

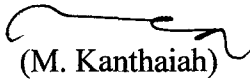
8. It is also made clear that the action for appointment in Group 'D' cadre may be taken after obtaining /accepting of an unconditional resignation of the applicant from the post of Mail Deliverer, in GDS cadre at Saharanpur HO on which he was appointed previously in compliance of order in O.A. No. 254/2002. The appointment should be subject to completion of all

- 2 -

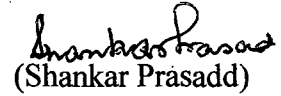
pre appointment formalities as applicable on compassionate appointment cases and also as per rules under new pension scheme.”

4. We are accordingly of the view that the orders of the Tribunal have been complied with.

5. In view of the above, the present contempt petition has become infructuous and is disposed of as such. Notice to alleged contemnor is discharged. C.C.P. is disposed of accordingly No costs.


(M. Kanthaiah)

Member(J)


(Shankar Prasad)

Member(A)

v.