

Central Administrative Tribunal, Lucknow Bench, Lucknow

CCP No. 18/2008 in O.A. 237/2005

This the ^{4th} 10 day of November, 2008

Hon'ble Sri M. Kanthaiah, Member (J)

Hon'ble Sri A.K. Mishra, Member (A)

Varun Tripathi aged about 25 years son of late Hare Krishna Tripathi r/o 3/13, Mohalla Bagh Rushtam, Farrukhabad.

Applicant

By Advocate: Sri S.K.Khare

Versus

1. Smt. . Neelam Srivastava, the Chief Post Master General, U.P.Circle, Lucknow.
2. Sri S.P. Maurya, Superintendent of Post Office, Sahjahanpur.

Respondents

By Advocate: Sri A. Dixit for Dr. Neelam Shukla

ORDER

By Hon'ble Sri M. Kanthaiah, Member (J)

This contempt petition has been filed Under Section 12 of the Contempt of Courts Act read with Section 17 of the CAT Act, 1985 for initiating proceedings against the respondents on the ground that they have not complied with the orders of the Tribunal dated 9.2.2007 and willfully disobeyed the same.

2. The respondent No. 2 has filed the compliance report dated 16.9.2008 stating that the Circle Relaxation Committee (CRC) has reconsidered the claim of the applicant for compassionate appointment but he could not be given appointment due to limited number of vacancies keeping in view of inter-se-merit of such other cases but CRC has recommended that the case of the applicant will be kept pending for further reconsideration on receipt of vacancy duly approved by the Screening Committee from the Postal Directorate, New Delhi.


3. The respondent No. 1 has not filed any objection/ compliance.

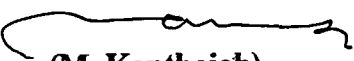
4. Heard both sides.

5. The admitted facts of the case are that this Tribunal directed the respondents to consider the case of the applicant for compassionate appointment which are to be complied within a period of two months from the date of receipt of copy of this order. Subsequently, ^{now} the respondents have not complied with the direction of this Tribunal, the applicant has filed this CCP for punishing the respondents. Now the

respondent No.2 has filed the compliance report dated 16.9.2008 stating that the CRC has reconsidered the claim of the applicant for his appointment on compassionate ground but he could not be given appointment due to limited number of vacancies keeping in view of inter-se-merit of such other cases but CRC has recommended that the case of the applicant will be kept pending for further reconsideration on receipt of vacancy duly approved by the Screening Committee from the Postal Directorate, New Delhi.

6. From the order of this Tribunal dated 9.2.2007, it is clear that the respondent authorities have been directed to reconsider the claim of the applicant for compassionate appointment and the authorities have also placed the matter before the CRC for reconsideration of the claim of the applicant and Committee did not take any decision in respect of the appointment of the applicant due to limited number of vacancies keeping in view of inter-se-merit of such other cases but CRC has recommended that the case of the applicant will be kept pending for further reconsideration on receipt of vacancy duly approved by the Screening Committee from the Postal Directorate, New Delhi. In view of the above circumstances, the authorities have reconsidered the claim of the applicant and in such circumstances, there is no act of contempt on the part of the respondents No.1 and 2 to initiate any action against them under contempt of court Act. As such, CCP is dismissed. Notices are discharged.


(Dr. A.K. Mishra)
Member (A)


(M. Kanthaiah)
Member (J) 10-11-08

HLS/-