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CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

ORDERS OF THE BENCH

Date of Order: 03.12.2011

CP No. 17/2011 (OA No. 133/2009)

Mr. C.B. Sharma, counsel for petitioner.
Mr. Mukesh Agarwal, counsel for respondents.

At the request of learned counsel for the parties, put up the matter on 19.12.2011.

K.S.Rathore

(JUSTICE K.S. RATHORE)
MEMBER (J)

Kumawat

19-12-2011

CP. No. 17/2011 (in OA No. 133/2009)

Mr. C.B. Sharma, Counsel for petitioner.
Mr. Mukesh Agarwal, Counsel for respondents.

Heard.
The C.P. is disposed of by a separate order on the separate sheets for the reasons recorded therein.

Anil Kumar

[Anil Kumar]
Member (A)

K.S.Rathore
(Justice K.S. Rathore)
Member (J)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
JAIPUR BENCH

Jaipur, this the 19th day of December, 2011

Contempt Petition No. 17/2011
(OA No.133/2009)

CORAM:

HON'BLE MR. JUSTICE K.S.RATHORE, MEMBER (JUDL.)
HON'BLE MR. ANIL KUMAR, MEMBER (ADMV.)

Ravindra Kumar Sharma
s/o Late Shri Girraj Prasad Sharma,
r/o Village and Post Gudha Chandraji,
District Sawai Madhopur, arpirant for
appointment on compassionate grounds
on the post of Gramin Dak Sewak,
Mail Delivery, Sub Post Office, Gudha Chandraji,
District Sawai Madhopur.

.. Petitioner

(By Advocate: Shri C.B.Sharma)

Versus

1. Shri R.R.P.Singh,
Chief Post Master General,
Rajasthan Circle, Jaipur
2. Shri Jeth Mal Jingar,
Superintendent of Post Offices,
Sawai Madhopur Postal Division,
Sawai Madhopur.

.. Respondents

(By Advocate: Shri Mukesh Agarwal)

ORDER (ORAL)

The Original Application No.133/2009 was disposed of vide
order dated 12th May, 2011 having considered the hardship of the



applicant and the fact of being second round of litigation. Vide the aforesaid order, this Tribunal directed the respondents to reconsider the case of the applicant sympathetically for appointment on compassionate grounds against the vacant post and pass appropriate order in accordance with the provisions of law in this regard within a period of two months from the date of receipt of copy of the order. Since the respondents have not considered the matter of appointment on compassionate grounds, therefore, the petitioner filed this Contempt Petition.

2. In response to the notice issued to the respondents, the respondents have filed reply and alongwith the reply, they have also filed order of compliance dated 21.10.2011 (Ann.CPR/1). The respondents have submitted that case of the applicant for appointment on compassionate grounds has been reconsidered and it is examined on each and every aspect. The Circle Relaxation Committee has carried out a balanced and objective assessment of the financial condition of the family taking into consideration of his assets and liabilities and other relevant factors in order to assess the degree of indigence and awarded 38 points based on a hundred point scale as per prescribed norms. The Circle Relaxation Committee has not recommended his case for engagement on compassionate grounds under the relaxation of normal engagement being the deceased family does not come under the ambit of terms and condition of hard and deserving case being below the prescribed ceiling of over and above 50 merit points.



3. We have examined the compliance report submitted by the respondents and upon perusal of the directions issued by this Tribunal, we find that substantial compliance has been made out. In view of the fact that since the respondents have not disobeyed the orders and complied with the directions objectively, therefore, the Contempt Petition fails and the same is hereby dismissed. Notices issued to the respondents stand discharged.



(ANIL KUMAR)
Admv. Member



(JUSTICE K.S.RATHORE)
Judl. Member

R/