

CENTRAL ADMINISTRATIVE TRIBUNAL  
JAIPUR BENCH : JAIPUR

Date of Order : 06.04.2004

Contempt Petition No.60/2003.

IN

Original Application No.558/2002.

Mrs. Sangeeta Kukreja wife of Late Shri Prakash Kukreja  
resident of 19, Gopalpura Gaon, Near Triveni Scheme,  
Gopalpura Bye-Pass, Jaipur (Rajasthan).

... Applicant.

v e r s u s

1. H. M. Cairae, Commissioner, Kendriya Vidhyalaya  
Sangthan, 18, Institutional Area, Shahid Jeet Singh  
Marg, New Delhi 110 016.

... Respondents.

Mr. J. P. Sharma counsel for the Applicant.  
Mr. V. S. Gurjar counsel for the respondent.

CORAM

Hon'ble Mr. M. L. Chauhan, Judicial Member.  
Hon'ble Mr. A. K. Bhandari, Administrative Member.

: O R D E R (ORAL) :


The Petitioner has filed this Contempt Petition against the alleged violation of the order dated 29.05.2003 passed in OA NO. 558/2002, whereby in operative portion this Tribunal has directed the respondents to consider the case of the applicant for compassionate appointment against the remaining vacancies available in Group-C, except the post of LDC and in case there is no vacancy available in Group-C to the extent of 5% of total existing vacancies against the direct recruitment quota, in that eventuality the case of the applicant may be considered against the vacancy available in Group-D category against the direct recruitment quota. Such consideration may be made within three months from today.

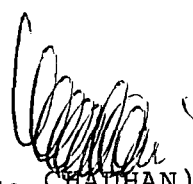
2. Notice of this Contempt Petition was given to the respondents. The respondents have filed reply, thereby stating that the order of this Tribunal has been complied with and alongwith the reply affidavit, the respondents have also annexed the order dated 14.07.2003 (Annexure R-1). When the matter was listed on 30.01.2004, this Tribunal after perusing the order dated 14.07.2003 was of the view that the direction issued by this Tribunal vide order dated 29.05.2003 has not been complied with at all. As a matter of last indulgence, further opportunity was given to the respondents to comply the order dated 29.05.2003, failing which <sup>inaction of</sup> the respondents/contemnors may amount to aggravating the order of the Tribunal.

3. Now the respondents have filed MA No.109/2004. Alongwith this MA they have also annexed fresh order dated 16.03.2004 (Annexure R-2). We have perused this order. According to us, the direction issued by this Tribunal vide order dated 29.05.2003 stand complied with. Accordingly the CP is dismissed. Notices issued to the respondents are hereby discharged. Learned counsel for the applicant submits that the decision taken by the respondents vide order dated 16.03.2004 is not in conformity with the policy decision/instructions issued by the Government regarding compassionate appointment and seek liberty to file substantive OA.

4. In view of what has been contended by the learned counsel for the applicant, it will be open for the applicant to file substantive OA in case he is aggrieved by the order passed by the respondents pursuant to the direction issued by this Tribunal vide order dated 29.05.2003.

5. With these observations, the Contempt Petition is dismissed. Notices issued to the respondents are hereby discharged.

  
(A.K. BHANDARI)  
MEMBER (A)

  
(M. L. CHAUHAN),  
MEMBER (J)