

**CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH,**  
**CIRCUIT SITTING : GWALIOR**

**Civil Contempt Petition No.29 of 2013**

(in O.A.No.1070/2005)

**Gwalior, this Wednesday, the 25<sup>th</sup> day of September, 2013**

**Hon'ble Mr. Justice Dhirendra Mishra, Judicial Member**  
**Hon'ble Mr. G.P.Singhal, Administrative Member**

Ramakant Bantharia, S/o Shri Ramesh Kumar Bantharia,  
Aged about 27 years, O/c-unemployed, R/o 6-B, New Shanti Nagar Colony,  
in front of Ganesh Ashram, Gendewali Road, Lashkar,  
Gwalior (M.P.)-474001 **- Petitioner**

(By Advocate – Shri V.S.Chaturvedi)

**V e r s u s**

1. Shri R.K.Prasad, The Welfare and Cess Commissioner,  
Labour Welfare Organization 797, Shantikunj,  
South Civil Lines, Jabalpur (M.P.).

2. Shri Narendra Soni, The Incharge Medical Officer,  
Bidi Workers Welfare Fund Dispensary, Tansen Road,  
Gwalior (M.P.) **-Respondents**

**ORDER**

**By Dhirendra Mishra, JM.-**

The petitioner has filed this Contempt Petition alleging non-compliance of the order dated 23.11.2005 passed by this Tribunal in Original Application No.1070/2005, whereby the petitioner's Original Application was disposed of with a direction to respondent no.2 to decide his representation by treating the Original Application, as part of the representation, by a detailed, reasoned and speaking order, within a time frame.

2. It appears that in compliance of the aforesaid order of this Tribunal the petitioner's representation for compassionate appointment was decided by the respondents vide their order dated 17.01.2005 (sic-17.01.2006) (Annexure C-2) and he was informed that limited 5% quota of vacancies falling under direct recruitment quota including C and D posts have already been filled in Group-D post and, therefore, his case could not be considered

at that time. However, his name has been listed at serial no.5 for compassionate appointment, for consideration in case vacancy arises in future.

3. Thus, from the above order it is clear that the respondents in compliance of our order have already decided petitioner's representation and communicated their decision vide Annexure C-2 and, therefore, the respondents cannot be proceeded for contempt under Section 17 of the Administrative Tribunals Act, 1985.

4. We also observe that in compliance of the directions of this Tribunal dated 23.11.2005, the petitioner's representation has already been decided as early as in January, 2006 vide Annexure C-2 and the petitioner has approached this Tribunal by way of the present contempt petition for initiating contempt proceedings against the respondents in the year 2013, which is hopelessly barred by limitation.

5. In this view of the matter, the Civil Contempt Petition is dismissed in limine.

*Sd/-*  
(G.P.Singhal)  
Administrative Member

*Sd/-*  
(Dhirendra Mishra)  
Judicial Member

rkv