

CENTRAL ADMINISTRATIVE TRIBUNAL,
JABALPUR BENCH,
JABALPUR

Contempt Petition No. 75 of 2005
in Original Application No. 846 of 2002

Jabalpur, this the 27th day of June, 2006

Hon'ble Dr. G.C. Srivastava, Vice Chairman
Hon'ble Shri A.K. Gaur, Judicial Member

1. Smt. Kamlesh Kumari, wife of
Late Shri Ramchandra, aged about
40 years, resident of 185, Behind
Narsingh Mandir, Gorakhpur,
Jabalpur M.P.
2. Jitendra Singh, Son of Late Shri
Ram Chandra Singh, aged about 22
Years, resident of 185, Behind Narsingh
Mandir, Gorakhpur, Jabalpur,
M.P.

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Applicants

(By Advocate – Shri N.K. Tiwari)

V E R S U S

1. Shri Ajay Vikram Singh,
Secretary, Ministry of Defence,
Union of India, New Delhi.
2. Shri P.K. Mishra, Director,
General of Ordinance, (A.O.C.) Core,
Army Head Quarter, New Delhi.
3. Shri Raj Kapoor, Commandant,
COD, Jabalpur.
4. Shri C.P. Jaiya Jamesh,
Sahayak Karmik Adhikari,
(Sainik COD Jabalpur M.P.).
5. Major T.R. Jagannath,
Karmik Adhikari, COD,
Jabalpur, M.P.

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Respondents

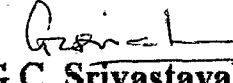
(By Advocate– Shri P. Shankaran)

ORDER (Oral)By A.K. Gaur, Judicial Member -

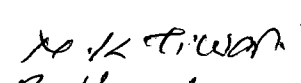
The present Contempt Petition is filed for initiating contempt proceedings under Contempt of Courts Act against the respondents complaining that the orders and directions of the Tribunal dated 2nd July, 2004 in OA No. 846 of 2002 have not been complied with and respondents have willfully disobeyed the orders and directions of the Tribunal.


2. The case was taken up on 3.4.2006 and after hearing the counsel for the parties, this Tribunal directed the respondent No. 3 to file the status report. Accordingly, the respondent No. 3 has filed the status report and annexed document in support thereof. A perusal of the document clearly indicates that the respondents have re-considered the case of the applicants by annual board of officers at Army Headquarters on 28th April, 2006 along with similarly placed cases as per the policy on the subject, but the applicants' case could not be recommended due to limited number of vacancies available and low marks secured in comparison to other more deserving cases. As per the policy of 5% vacancy, only 60 vacancies of Group-D posts were available and the last candidate recommended for compassionate appointment got 75 marks, wherein the applicants secured only 66 marks. Thus, in our considered view, no willful disobedience of the orders and directions of the Tribunal have been committed by the respondents. Accordingly, the contempt petition is dismissed. Notices are discharged. However, it will be open to the applicants to file a fresh OA if they are still aggrieved and so advised.


(A.K. Gaur)
Judicial Member


(Dr. G.C. Srivastava)
Vice Chairman

पृष्ठंकन सं ओ/न्या.....जबलपुर, दि.....
पल्लिखि अर्को विल:-
"SA" (1) सचिव, उच्च न्यायालय नगर प्रबन्धन, जबलपुर
(2) अध्यक्ष, सी/पीसी/पु...को कोउंसल
(3) प्रवक्ता, सी/पीसी/पु...को कोउंसल
(4) कोउंसल, कोउंसल, जबलपुर न्यायाधीश
सूचना एवं आगमनको कार्यालय दिनु ००००
- ५७ + १ उप रजिस्ट्रार


N.K. Tiwari
B. Sham Karan


5/7/06