

RESERVED

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH ALLAHABAD

Dated: This the 04<sup>th</sup> day of September 2018.

PRESENT:

HON'BLE MR. GOKUL CHANDRA PATI, MEMBER – A

HON'BLE MR.RAKESH SAGAR JAIN, MEMBER –J

Civil Contempt Petition No. 193 of 2017

In

Original Application No. 330/403 of 2017

Mohd. Salim son of late Mohd. Mustkeem Ansari, Resident of House No. 131/153, Begumpurwa, Kanpur Nagar, District Kanpur Nagar.

..... Applicant

By Adv: Shri M.K. Tiwari

V E R S U S

1. Shri Rajeev Agrawal, General Manager, Ordnance Equipment Factory, Kanpur 208001.
2. Shri M.C. Bala Subramadiam, Zonal Employment Officer, Kanpur.

... Respondents

By Adv: Shri Himanshu Singh

O R D E R

BY HON'BLE MR.RAKESH SAGAR JAIN, MEMBER – J

1. The present application has been filed by Mohd. Salim for punishing the respondents for disobedience of judgment dated 13.4.2017 passed by the Tribunal in OA No. 403 of 2017 titled Mohd. Salim Vs. UOI and Ors.

2. Before proceedings further reference may be made to the order dated 13.4.2017 whose violation has been alleged by the applicant. The operative portion of the order reads as under:-

*"4. As counsel for the applicant is having grievance that the case of applicant has not been considered as per the whims and fancy of the respondents and the respondents themselves told that the case of applicant will be considered again, the respondents are directed to provide a copy of the comparative merit chart/break up of marks to the applicant through which his case was considered for compassionate appointment vis-à-vis other applicants/candidates within a period of one month from the date of receipt of a certified copy of this order".*

3. Respondent No.2 in objection has averred that "in compliance with the order of the Hon'ble Tribunal, a detailed and speaking order dated 19.5.2017 was issued to the applicant enclosing the Xerox copies of minutes of quarterly meetings of the Board of Officers (along with score points/comparative merit chart/break up of marks). Hence, it is clear that the order of the Hon'ble Tribunal has been executed by the respondents and their remains no action pending with the respondents".

4. In the rejoinder affidavit by the petitioner, he has not denied the contents of para 4 (b) of affidavit filed by respondent No.2 wherein respondent has clearly averred that Xerox copies of minutes of quarterly meetings of the Board of Officers (along with score points/comparative merit chart/break up of marks) have been supplied to the applicant.

5. We have heard and considered the arguments of counsel for the parties and gone through the material on record.

6. As per the order of the Tribunal, the respondent was to give score points/comparative merit chart/break up of marks to the applicant through which his case was considered for compassionate appointment vis-à-vis other candidates and the same has been complied with.

7. In these circumstances, we are of the opinion that order of the Tribunal has been complied and, therefore, application being meritless, is dismissed. Notice to the respondents are discharged.

**[Rakesh Sagar Jain]**

Member-J

**[Gokul Chandra Pati]**

Member-A

*Manish/-*