

Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL,**

**ALLAHABAD BENCH, ALLAHABAD**

Allahabad, this the 01<sup>st</sup> day of August, 2018

Present:

Hon'ble Mr.Justice Bharat Bhushan, Member-J  
Hon'ble Mr. Mohd. Jamshed, Member-A

**CIVIL MISC. CONTEMPT PETITION No.330/00189 OF 2017  
 IN  
Original Application No. 01278 OF 2016  
 (U/S 19, Administrative Tribunal Act, 1985)**

Usha Devi Wife of Late Ravindra Nath Jaiswar Resident of B-36  
 Aakashvani Colony, Aukland Road, Allahabad.

.....Petitioner

**V E R S U S**

P.R. Chauhan, Director (Akashvani), Lucknow.

.....Respondent

Advocate for the Applicant:- Shri C.P. Srivastava.

Advocate for the Respondents:- Shri R.K. Srivastava.

**ORDER**

**By Hon'ble Mr. Justice Bharat Bhushan, J.M. :**

Shri C.P. Srivastava, counsel for the petitioner and  
 Shri R.K. Srivastava, counsel for the respondents are  
 present.

2. This Tribunal in Original Application No. 1278 of 2016

***Usha Devi Vs. P.R. Chauhan, Director (Akashvani),  
 Lucknow***, gave the following direction on 09.12.2016 in  
 Para No. 4, which is reproduced below:-

*“4. Hence without expressing any opinion on the merits of the case, it is directed that Director Akashwani, Lucknow will be served with copy of the previously sent request by the applicant within a period of one month along with copy of this order. Director, Akashwani, Lucknow is directed to pass a speaking order on this matter and to take further action within a period of one month and communicate the decision to the applicant in writing.”*

3. Counsel for the respondents filed compliance affidavit dated 01.02.2018 referring to order dated 06.01.2017 passed in compliance of the aforesaid order of Tribunal. The relevant Para of the Order dated 06.01.2017 passed by Shri R.B. Singh, Deputy Director General (E)/H.O.O. is reproduced below:-

*“WHEREAS, in consideration of the case of the applicant it was found that the case regarding compassionate appointment of her son was considered along with other candidates previously by the duly constituted committee as per Standard Operating Procedure (SOP). The name of her son Shri Ashwani Kumar could not be selected for compassionate appointment as his position in the merit (prepared on the basis of SOP) was low. Another meeting of Screening Committee was held at All India Radio, Lucknow on 05.08.2016 for considering appointment on compassionate ground. The case of the applicant’s son was also re-considered by the committee along with other candidates, the recommendations of the committee were sent to All India Radio Directorate for approval. As and when the approval is received from the AIR Directorate, the action will be taken accordingly.”*

4. Thereafter, a second compliance affidavit was filed on 10.05.2018 wherein further details regarding disputes were given. It is apparent that the order dated 09.12.2016 of this Tribunal was limited one. It merely required the respondents to pass speaking order on the disputes which have already been done. We believe that compliance of the order of this Tribunal has already been made. No further steps are needed and compliance reports dated 01.02.2018 and 10.05.2018 are accepted.

5. Considering the facts and circumstances of the case, we are of the view that the respondents have substantially complied with the order passed by this Tribunal and there is no willful disobedience. Accordingly, the contempt petition is dismissed and the notice issued to the respondent stand discharged.

**(Mohd. Jamshed)**  
Member (A)

**(Justice Bharat Bhushan)**  
Member (J)

/SS/