

(OPEN COURT)

**CENTRAL ADMINISTRATIVE TRIBUNAL,
ALLAHABAD BENCH
ALLAHABAD**

The **9th** day of **May, 2019**.

HON'BLE MS. AJANTA DAYALAN, MEMBER (A)
HON'BLE MR. RAKESH SAGAR JAIN, MEMBER(J)

**Contempt Petition/Application No.330/00086 of 2019
IN
Original Application Number 736 of 2010**

Mithilesh Kumar Bharti, S/o Late Suchit Ram, R/o Village-Sabbalpur
Khurd, Post Sabbalpur Kala, District-Ghazipur.

.....Applicant.

VER S U S

Capt. Sanjay Gahlot, Mukhya Niyantrak, Shaskiya Afim and
Chharod Karkhana 27 Saraswati Bhawan, Nehru Place, New Delhi,

.....Respondents

Advocate for the applicant : Shri Rajesh Tiwari
Advocate for the Respondents :

ORDER

Heard Shri Rajesh Tiwari, learned counsel for the applicant.

2. Learned counsel for the applicant states that this Tribunal vide
order dated 17.01.2019 directed the respondents to consider the case

of the applicant for compassionate appointment within two months. This order has not been complied with as yet. He also states that the respondents did pass the order dated 20.03.2019. However, the benefit of compassionate appointment has not been given to him and hence the contempt petition.

3. It is observed that vide order dated 20.03.2019, the respondent department has considered the Tribunal's order in OA No.736/2010 and has stated that as there is no vacancy to be filled up on compassionate grounds, the request of the applicant "is not feasible at the moment". In this order, they have also stated that 'his name is to be continued in the list of applicants for compassionate appointment' and will be 'considered on merit in future as and when vacancies are filled up on compassionate ground at GOAW, Ghazipur as per rules'.

4. The learned counsel for the applicant, however, states that the applicant's father expired in 2005 and he is waiting for compassionate appointment since then with no relief. He pleads for department's response in the matter.

5. We find no ground for contempt petition in view of the fact that the orders have been passed by the competent authority keeping in

view the Tribunal's order and that at present, no vacancies are existing to be filled up and also that the department has assured that the applicant's name is already kept in the list of candidates and will be considered on merits as and when such appointment is made.

6. In view of the above, contempt petition is dismissed.

(RAKESH SAGAR JAIN)
MEMBER (J)

(AJANTA DAYALAN)
MEMBER (A)

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