



**CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA
CIRCUIT AT PORT BLAIR**

**No. CPC. 351/40/2016
O.A. 351/162/2015**

Date of order: 21.12.2018

**Present : Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Dr. Nandita Chatterjee, Administrative Member**

**Smt. Vandana,
W/o Late Parmatma Singh,
Resident of Mazar Pahad,
Port Blair Tehsil, South Andaman – 744 101.**

- VERSUS -

- 1. Shri Anindo Mazumdar,
Chief Secretary,
A&N Administration,
Port Blair – 744 101.**
- 2. Shri Ramesh Varma,
Secretary-cum-Director (Transport),
A&N Administration, Secretariat,
Port Blair – 744 101.**

Respondents/Contemnors

For the Applicant : Mr. G.B. Kumar, Counsel

For the Respondents/Contemnors : Md. Tabraiz, Counsel

ORDER (Oral)

Per Dr. Nandita Chatterjee, Administrative Member:

This Contempt Application has arisen for alleged violation of the orders of the Tribunal dated 6.10.2015 in O.A. No. 162 of 2015 in which the Tribunal had directed as follows:-

"5. Trite the proposition of law is, that if a Govt. servant dies in harness one of his legal heirs could be given appointment on compassionate

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ground in the same department itself or in any other department where there is vacancy under the quota. As such, this aspect of the matter was not considered in the reply given to the applicant. Wherefore, the applicant made a representation which has to be considered by the respondent authorities. Hence, the following direction is issued.

The Respondent Authorities shall consider the representation of the applicant dated 13th March, 2015 within a period of three months from the date of receipt of a copy of this order and give a speaking order to the applicant.

6. This O.A. is accordingly disposed of. No costs."

2. In response the respondents issued speaking order on 7.1.2016 in which they concluded by stating as follows:-

"Whereas, given the above facts, the Director, Transport has taken a lenient view on the instant case and other pending cases of compassionate ground in the light of OM No. 14014/6/94-Estt.(D) dated 9.10.1988.

Whereas, the Director, Transport has forwarded the application of Smti. Vandana Singh and others to A&N Administration for considering under compassionate appointment.

Now, therefore, the applicant Smt. Vandana Singh is informed accordingly."

3. According to the Ld. Counsel for the petitioner that, although stated in the speaking order that the matter had been referred to the A&N Administration for considering the applicant's case under compassionate appointment, even after the expiry of two years, no decision has been communicated in this regard.

The Ld. Counsel for the alleged contemnors/respondents submits that steps are being taken to decide in coordination with other departments.

4. Accordingly, considering that the applicant has been widowed on 2013 with two minor children and has no other known source of income, the alleged contemnor No. 1 who is the Chief Secretary, A&N Administration, is directed to coordinate with all concerned departments to ascertain if the applicant/petitioner can be accommodated in any department in the A& N Administration, for consideration under compassionate appointment. Given the purported indigence

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of the applicant/petitioner and her family, the exercise ought to be completed within six weeks of the date of receipt of a copy of this order.

5. With these directions, the CPC is dropped. Notices issued, if any, are discharged.

6. Applicant shall be at liberty to revive the contempt proceedings in the event she is still aggrieved.

(Dr. Nandita Chatterjee)
Administrative Member

SP

(Bidisha Banerjee)
Judicial Member

