

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

C.P./100/163/2019
O.A./100/917/2018

New Delhi, this the 22nd day of July, 2019

Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. Mohd. Jamshed, Member (A)

Kamal Kumar
S/o Late Shri Lila Dhar
R/o 1165-A/76, Ground Floor,
Deva Ram Park, Tri Nagar,
Delhi-110035

....Petitioner

(None appeared)

Versus

Ms. Gitanjali Gupta,
The Secretary,
Government of NCT of Delhi
Services Department : Services – II Branch,
5th Level, A-Wing, Delhi Secretariat,
I.P. Estate, New Delhi-110002 ...Contemnor/ Respondent

(Through Shri Amit Yadav, Advocate)

ORDER (Oral)

Justice L. Narasimha Reddy, Chairman

The applicant filed OA 917/2018 complaining that his case is not being considered for providing appointment on compassionate grounds. The OA was disposed of taking note of the fact that the case of the applicant would be considered in the next meeting of the Screening Committee.

2. This contempt case is filed, alleging that the respondents did not comply with the order in the OA.

3. There is no representation from the applicant. We heard Shri Amit Yadav, for the respondents.

4. The order passed in the OA reads as under:

“At the outset, learned proxy counsel for the respondents Shri Amit Yadav stated that the respondents are agreeable to reconsider the claim of the applicant for compassionate appointment. He also informs the Bench that the next Screening Committee would duly consider the claim of the applicant for compassionate appointment in their next meeting. The learned counsel for the applicant Shri Anuj Aggarwal has no objection to this.

2. In view of this position, the OA has become infructuous and is accordingly, disposed of. No costs.”

5. From this, it is evident that there was neither any finding as to the entitlement of the applicant for appointment on compassionate grounds nor as to the default on the part of the respondents. The only observation made therein is that the case of the applicant needs to be considered by the Screening Committee, in its next meeting.

6. In the counter affidavit, the respondents stated that the Screening Committee met on 29.01.2019 and, for further verification, it forwarded the applications to the revenue department. A copy of the minutes is also filed.

7. In similar circumstances, we closed CP No.232/2019 with an observation that the process which is in progress may

go on and the final result of the consideration of the case of the applicant therein shall be communicated to her. Similar facts obtain in this case also.

8. We, therefore, close this contempt case with the observation that the process which is in progress may go on and the final result of the consideration of the application of the applicant shall be communicated to him.

There shall be no order as to costs.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

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