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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

CP 222/2003 in OA 3259/2002

New Delhi, this the 23rd day of September, 2003

Hon'ble Smt. Lakshmi Swaminathan, Vice-Chairman (J)
Hon'ble Sh. V.K. Majotra, Member (A)

Dr. S.K. Sharma
...Petitioner
(By Advocate Sh. G.S. Lobana)

V E R S U S

Smt. Shailia Chandra
Chief Secretary
Govt. of NCT of Delhi
Delhi Sachivalva, I.G. Stadium
New Delhi - 110 002.
...Respondents
(By Advocate Sh. Mohit Madan for
Mrs. Avnish Ahlawat)

O R D E R (ORAL)

By Hon'ble Smt. Lakshmi Swaminathan, VC (J)

We have heard both the learned counsel for the parties.

2. We have also perused the Tribunal's order dated 13-3-2003 in OA 3259/2002. While disposing of OA, the Tribunal had noticed that one post is vacant and there has been undue delay on the part of the respondents and, therefore, there should be no hindrance to direct them to consider the case of the applicant by convening the DPC meeting "preferably before he superannuates" w.e.f. 31-3-2003. The respondents in their counter affidavit have stated that they had sent a letter to UPSC on 27-3-2003 referring the matter of applicant's promotion to the post of Assistant Drug Controller. The UPSC has required further information which has been furnished to that Commission on 13-5-2003. The respondents have, therefore, stated that the matter is now pending

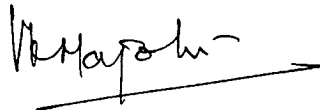
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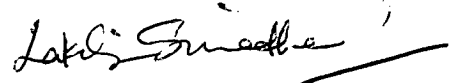
with the UPSC who have to take appropriate steps to convene the DPC, following which appropriate orders will be passed by the respondents..

3. Noting the above facts and submissions of the learned counsel for the parties, we are unable to agree with the contentions of the learned counsel for the petitioner that there has been any wilful or contumacious disobedience of the Tribunal's aforesaid orders justifying continuation of the Contempt Petition.

4. In this view of the matter, CP 222/2003 is dismissed. Notices to the alleged contemnors are discharged. File to be consigned to the Record Room.



(V.K. Majotra)
Member (A)



(Smt. Lakshmi Swaminathan)
Vice-Chairman (J)

/vks/