

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

CONTEMPT PETITION NO.170/00019/2019

IN

ORIGINAL APPLICATION NO.170/00054/2018

DATED THIS THE 28TH DAY OF FEBRUARY, 2020

HON'BLE DR.K.B.SURESH, MEMBER (J)

HON'BLE SHRI C.V. SANKAR, MEMBER (A)

S.H. Anjanappa,
Dy. Director of Programmes (Retd),
Aged about 62 years,
R/a Suddukunte Village & Post,
Madhugiri Taluk, Tumkur District
572 127, Karnataka

....Petitioner

(By Advocate Shri N. Obalappa)

Vs.

1. Amit Khare,
Secretary,
Ministry of Information and Broadcasting,
'A' Wing, Shastry Bhavan,
New Delhi 110 001

2. Shri Shashi Shekar Vempati,
Chief Executive Officer,
Prasar Bharati Secretariat,
Tower 'C', Mandi House, Copernicus Marg,
New Delhi 110 001

3. Smt Supriya Sahu, IAS,
Director General, Doordarshan,
Doordarshan Bhavan, Mandi House,
Copernicus Marg, New Delhi 110 001

4. Shri H.C. Singh,
The Pay and Accounts Officer, IRLA,

Ministry of Information & Broadcasting,
Soochna Bhavan, 7th Floor, Phase V,
Lodhi Road, CGO Complex,
New Delhi 110 003

5. Shri J.M. Rajput,
Asst. Director of Programmes/
The Head of Office,
Doordarshan Kendra,
Humnabad Road, Gulbarga 585 104

.....Respondents

(By Shri M.V. Rao and Shri S.M. Arif, Counsel for the Respondents)

O R D E R (ORAL)
(HON'BLE DR. K.B. SURESH, MEMBER (J)

We heard the matter. Apparently our order was upheld by the Hon'ble High Court but it is also true that there are some other matters pending on the same nature in the Hon'ble High Court. Against our order a Review Petition was filed but unfortunately for the respondents herein it could not be taken up because the nature and combination of the Bench has changed and therefore it is not possible to be taken up now. Therefore, we had discussed the matter with the learned counsels. Since this is a matter to only grant certain financial benefit to the original applicant, the respondents have raised an issue that suppose they win in the Review Petition then, since the applicant is a retired person, it will be very difficult to recover the money back from him. This we think is a reasonable argument. Therefore, we had discussed with the learned counsels the possibility of the applicant providing a bank guarantee for the equivalent sum. Shri Obalappa, learned counsel for the applicant, is in agreement. Therefore, let the respondents inform the amount which will be due to him within the next two weeks. Within two weeks thereafter let the applicant produce a bank guarantee to the

satisfaction of the respondents along with an undertaking that this can be immediately withdrawn by the respondents if the Hon'ble High Court passes an order which will be against the interest of the applicant in terms of the proportion of the Hon'ble High Court judgment. Both these elements of activity shall be completed within the next one month.

2. Therefore, on this solemn undertaking from both sides, CP is dismissed but with liberty. Notices are discharged. No order as to costs.

(C.V. SANKAR)
MEMBER (A)

(DR.K.B.SURESH)
MEMBER (J)

/ksk/

Annexures referred to by the applicant in CP No. 170/00019/2019

Annexure C1 Copy of the order dated 17.09.2018 in OA No. 54/2018
Annexure C2 Copy of the order dated 17.08.2018 in RA No. 02/2018
Annexure C3 Copy of the order dated 18.01.2019 in WP No. 50820/2019

Annexures referred in reply statement

Annexure R1 Copy of the order dated 01.03.2019 in WP No. 56294/2018
Annexure R2 Copy of the interim order in WP No. 56288/2018
Annexure R3 Copy of the communication dated 29.03.2019
Annexure R4 Copy of the communication dated 18.10.2018

Annexures referred in Rejoinder

Annexure C4 Copy of the DoPT clarification dated 18.07.2001 and 3rd respondent reply dated 08.01.2015
Annexure C5 Copy of the order of Hon'ble High Court of Delhi dated 13.07.2017 and 3rd respondent communication dated 12.10.2017
Annexure C6 Copy of the order in OA No. 836/2016 dated 10.02.2017
Annexure C7 Copy of the order in OA No. 253/2017 dated 18.08.2017
Annexure C8 Copy of the OM dated 19.05.2009
Annexure C9 Copy of the order dated 28.07.1982

Annexures referred in MA No. 475/2019 & Affidavit

Annexure MA1 Copy of the order dated 25.07.2019 in CP No. 19/2019
Annexure MA2 Copy of the order dated 17.09.2018 in OA No. 54/2018
Annexure MA3 Copy of the order of Hon'ble High Court of Karnataka in WP No. 56294/2018 & WP No. 56288/2018

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