

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

**CP No-379/2019 in
OA No-4434/2013**

New Delhi, this the 14th day of February, 2020



Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Ms. Aradhana Johri, Member (A)

1. Dr. Raja Ram Purohit
D-603, Prateek Wisteria
Sector 77, GH-001, Noida
Uttar Pradesh-201301.
2. Dr. M. Senthil Kumar
New No. 29, 4th CR Street, Indiranagar, Chennai.
3. Sudershan Sahu
Podisingidi, Via Hadgarh
Keonjhar, Odisha.
4. Shailendra Nath Dwivedi
Vill. And PO Goh, District Aurangabad, Bihar.
5. Chirashmee Mohanty
1579, Behind Kalyani Plaza
Patrapar, Bhubaneswar.
6. Ms. Rumi Mukherjee
Flat No. 603, Tower B 12 A
RPS Savana, Faridabad. ... Petitioners

(through Sh. Ajesh Luthra with Sh. N. Raja Singh)

Versus

1. Sh. U.P. Singh
The Secretary, Ministry of Water Resources

River Development & Ganga Rejuvenation
Shram Shakti Bhavan, Rafi Marg, New Delhi.

2. Sh. C. Chandramouli
The Secretary, Ministry of Personnel, Public Grievances
& Pensions, Department of Personnel & Training
New Delhi.
3. Sh. K.C. Naik
The Chairman
Central Ground, Water Board
Bhujal Bhavan, NH-IV
Faridabad-Haryana-121001. ... Respondents



(through Sh. Rajeev Kumar with Sh. Rohit Sehrawat)

ORDER (Oral)

Mr. Justice L. Narasimha Reddy, Chairman

An order passed by this Tribunal, without reference to the relevant factors, and deciding the eligibility of the applicants, has given rise to the filing of this Contempt Petition.

2. Twenty one Scientist 'C' , in the Ministry of Water Resources, filed OA No. 4434/2013 claiming the relief of antedating of their promotions, in the light of the order in OA No. 825/2012. The said OA was allowed on 10.07.2015. It was directed that the claim of the applicants for promotion to the level of Scientist 'C', on par with their "juniors and colleagues" shall be considered, from the date of completion of eligibility period under

FCS. This contempt case is filed alleging that, though the said benefit was extended to 15 persons, it was denied to six others.

3. The respondents filed compliance affidavit, together with supporting documents. It is stated that the issue was dealt with, in detail through an order dated 18.11.2015 and, thereafter, a speaking order was passed on 06.11.2019. According to them, six of the applicants in the OA were denied promotion on account of their being found not eligible.



4. We heard Sh. Ajesh Luthra, learned counsel for the petitioners and Sh. Rajeev Kumar, learned counsel for the respondents.

5. Stating to be a measure of compliance with the order in the OA, the respondents passed an order dated 06.11.2019. The relevant paragraph in the order reads as under:

“As per the examination of the facts, explained in foregoing paragraphs, the six applicants of the OA No. 4434/2013 (CAT-New Delhi), i.e., Sh. Raja Ram Purohit, Dr. M. Senthil Kumar, Sh. Sudarshan Sahu, Sh. S.N. Dwivedi, Ms. Chirashree Mohanty and Ms. Rumi Mukherjee are not found eligible for antedation of their promotion to the grade of Scientist-C under the FCS. Thus, the subject order dated 10.7.2015 and subsequent corrected order dated 10.09.2018 passed by the Hon’ble CAT-New Delhi in OA No. 4434/2013 stands implemented.”

6. From this, it becomes evident that the denial of promotion to the six applicants, was on account of the fact that, they were not eligible. In case, they feel aggrieved by that finding, they need to work out their remedies.

7. We, therefore, close this contempt case, leaving it open to the aggrieved parties to work out their remedies.



(Aradhana Johri)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

/ns/