



**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH NEW DELHI**

CP No. 203/2019

OA No. 936/2017

MA No. 854/2018

MA No. 1000/2017

MA No. 3895/2019

MA No. 4029/2019

New Delhi, this the 10th day of January, 2020

**HON'BLE MRS. JUSTICE VIJAYA LAKSHMI, MEMBER (J)
HON'BLE MR. PRADEEP KUMAR, MEMBER (A)**

1. Ashvini Kumar Khoba, Age 33 years
Assistant Programmer
Central Bureau of Investigation
S/o Shri Giriraj Singh
R/o H.No. 616, Block-1, B.K.S. Marg
New Delhi-110001
2. Sushil Kumar Singh, Age 33 years
Assistant Programmer
Central Bureau of Investigation
S/o Shri Vikram Singh
R/o A-1002, Savy Ville De
Rajnagar Extension, Ghaziabad-201017
3. Neeraj Kumar, Age 35 years
Assistant Programmer
Central Bureau of Investigation
S/o Shri Mahkar Singh
R/o 100-PSec. 4, DIZ Area
B.K.S. Marg, New Delhi-110001
4. Gourav Kumar Katara, age 33 years
Assistant Programmer
Central Bureau of Investigation
S/o Shri Dinesh Kumar Katara
R/o 133-A, Kilokri Village, New Delhi.
5. Vinod Singh Raghav, Age 37 years
Assistant Programmer
Central Bureau of Investigation
S/o Shri Sheodan Singh Raghav
R/o 1649 Bhagirathi Tower,
Mahagunpuram, Ghaziabad-201002, UPApplicants

(By advocate : Mr Suresh Sharma)



Versus

1. Dr. C Chandramoul
Secretary, Department of Personnel and Training,
North Block, New Delhi-110001
2. Shri Rishi Kumar Shukla,
Director
Central Bureau of Investigation (CBI),
Administrative Division,
5B, CGO Complex, Lodhi Road,
New Delhi-110003
3. Shri Dananjay Prasad Singh
Admn. Officer (Pers.)
Central Bureau of Investigation (CBI)
Administrative Division,
5B, CGO Complex, Lodhi Road,
New Delhi-110003

...Respondents

(By advocate: Mr Hanu Bhaskar)

O R D E R (O R A L)

Mr Pradeep Kumar, Member (A):

Mr Suresh Sharma, learned counsel appeared for the applicant. Mr Hanu Bhaskar, learned counsel appeared for respondents.

2.0 While MAs were being heard earlier, certain directions were passed on 25.02.2019 in MA No. 2308/2018. The same reads as under-

"The instant M.A is filed mainly seeking a direction to the respondents to furnish the copies of the relevant orders dated 11.11.2016 and 18.11.2016 pertaining to



the applicants no. 3 & 4. In the circumstances, we allow the M.A and direct the respondents to furnish the said relevant orders dated 11.11.2016 and 18.11.2016, if such orders are in existence, to the applicants' counsel within two weeks.

List the O.A under appropriate caption on 10.05.2019. "

3.0 In compliance of these orders, the respondents supplied a copy of their office order no. 207/2016 dated 27/28.12.2016 which indicates that services of Shri Gaurav Kumar Katara, applicant no. 4, were dispensed with effect from 18.11.2016. Another office order no. 208/2016 dated 27.12.2016 was also supplied to the applicant which indicates that services of Shri Neeraj Kumar, applicant no. 3, were dispensed with effect from 11.11.2016.

4.0 The applicant pleaded that the respondents were required to supply the relevant orders dated 11.11.2016 and 18.11.2016. The orders for these two specific dates have not been supplied and instead orders issued on 27/28.12.2016 have been supplied. Accordingly, contempt is made out and applicant filed the instant contempt petition- 203/2019.

5.0 The respondents pleaded that the orders of relieving these two applicants, as were available, have since been supplied. Accordingly, there is no case for contempt.

6.0 Rival contentions have been heard. Since the orders dated 25.02.2019 have been complied with substantively, there is no case for contempt. The Contempt Petition is closed and notices are

discharged. Accordingly, MA No. 4029/2019 which was filed in CP No-203/2019 also stands dismissed, without going into merits.

MA No. 3895/2019

7.0 This MA was preferred by the applicant in OA no. 936/2017 on 05.12.2019. The prayer made in this MA reads as under-

“(i) To stay any further action by respondents on Bid Number GEM/2019/B/430518 dated 26.11.2019 at Annexure M-01.

(ii) To pass any other order as this Hon’ble Tribunal may deem fit and proper.”

8.0 Respondents pleaded that exactly the same prayer was made by the applicants in MA No. 4029/2019 (which was filed in CP No. 203/2019) which was filed on 10.12.2019. This cannot be allowed.

9.0 Matter has been heard. It is seen that the applicant made following prayer in MA No. 4029/2019-

“(i) To stay any further action by respondents on Bid Number GEM/2019/B/430518 dated 26.11.2019 at Annexure M-01.

(ii) To issue directions for the personal presence of the Respondents, which was stayed for the time being as in interim measure vide order dated 26.04.2019 (Annexure M-04).

(iii) To pass any other order as this Hon’ble Tribunal may deem fit and proper. “

The above prayer is exactly the same as has been made in MA No. 3895/2019 (Supra).





10.0 The purport of the prayer is exactly the same as was made in MA No. 4029/2019 along with CP. The MA No. 3895/2019 shall be taken up along with OA.

OA No. 936/2017

11.0 Pleadings are in the OA are complete. Accordingly, matter is posted for final hearing on 02.03.2020.

(Pradeep Kumar)

Member (A)

(Justice Vijaya Lakshmi)

Member (J)

neetu