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Central Administrative Tribunal
Principal Bench, New Delhi

C.P.No.200/2002 in
O.A.No.915/2001

Hon'ble Shri V.K.Majotra, Member(A)
Hon'ble Shri Shanker Raju, Member(J)

Monday, the 8th day of July, 2002

Dinesh Kumar
s/o Shri Atma Ram
r/o Sarju Medical Stores
Kalan Bazar, Anoopshahr
District: Bulandshahr - 202 390.
(Uttar Pradesh). ... Petitioner

(By Advocate: None)

Vs.

1. Shri S.K.Tripathy
Secretary
Ministry of Human Resources Development
Department of Education
Shastri Bhavan
New Delhi - 110 001.
2. Navodaya Vidyalaya Samiti
through its Director/Commissioner
Shri S.P.Gaur
cum Joint Secretary (Hr. Education)
A-39, Kailash Colony
New Delhi - 110 048.
(Now changed to Indira Gandhi Stadium
I.P.Estate, New Dewlhi - 110 002.) ... Respondents
(By Advocate: Shri Jayaraman, proxy of Shri S.Rajappa)


O R D E R (Oral)

By V.K.Majotra, M(A):

None for the applicant despite revised call.
Shri Jayaraman, learned proxy counsel of Shri
S.Rajappa, learned counsel for respondents, has been
heard.

2. OA 915/2001 was disposed of vide order
dated 25.1.2002 with the following observations and
directions:

3. We deem it is fit and proper
to dispose of this O.A. at this stage
itself by granting applicant leave to
file a representation to Respondents
against terminating his services vide
impugned order dated 29.3.2001 within two
weeks from the date of receipt of a copy



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of this order in which case, the competent authority should waive the bar of limitation if any, and dispose of the aforesaid representation by means of detailed, speaking and reasoned order in accordance with rules and instructions two months from the receipt of the representation.

4. If any grievance still survives it will be open to applicant to agitate the same through appropriate original proceedings in accordance with law. If so advised in which he may take the grounds advanced by him in the present O.A. as well as such additional grounds as he is advised to take."

3. Respondents have explained in their compliance affidavit that the order of this Tribunal ~~shall~~ ^{had to} be complied with at the level of the Commissioner, Navodaya Vidyalaya Samithi. Although, Tribunal's order dated 25.1.2002 was not complied with within the stipulated period, it is stated that the Commissioner has considered and disposed of applicant's representation by an order of 3.5.2002 which was issued on 6.5.2002. Respondents have tendered an unconditional apology for the delay in compliance of the Tribunal's order and stated that the delay was neither intentional nor deliberate. Now that Tribunal's order has been complied with by the respondents vide their orders dated 29.4.2002, signed by the Commissioner on 3.5.2002 and issued on 6.5.2002, the contempt proceedings are dropped and notices issued to the respondents are discharged.

4. However, if the applicant is aggrieved by the orders passed by the respondents, he can take appropriate steps under the law.

5. CP is accordingly dismissed.

S. Raju
(Shanker Raju)
Member(J)

V.K. Majotra
(V.K. Majotra)
Member(A)

/rao/