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CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH

C.P. No. 384/99

IN

OA No. 26/99

New Delhi: this the 29th day of August, 2000.

HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)

HON'BLE MR. KULDIP SINGH, MEMBER (J)

P.C. Gupta,
S/o Shri Sita Ram Gupta,
R/o Tejli Road, Yamuna Nagar Applicant.

(By Advocate: Shri S.K. Gupta)

Versus

1. Shri Vishwa Nath,
Secretary,
Deptt. of Forest & Environment,
Paryavaran Bhawan,
CGO complex,
Lodhi Road,
New Delhi-3.
 2. Shri P.K. Mishra,
Secretary,
UPSC
Shahjahan Road,
New Delhi.
 3. Shri B.D. Dalia,
IAS,
Commissioner & Secretary,
Govt. of Haryana,
Haryana Forest Department,
Sector-17,
Chandigarh.
 4. Banarsi Dass,
Principal Chief Conservator of Forests,
Haryana, Van Bhawan,
Sector-6,
Panchkula.
- Respondents.
- (By Advocate: Shri A.K. Bhardwaj with Sh. VSR Krishna).

ORDER

Mr. S.R. Adige, VC (A):

Heard both sides on C.P. No. 384/99 arising out
of OA No. 26/99.

2. OA No. 26/99 was disposed of by order dated

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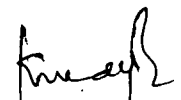
26.2.99 with a direction to respondent No.1 and 2 to take appropriate action on the recommendation of Haryana State Govt. contained in their letter dated 23.1.98 by which GOI was requested to review the Indian Forest Service Select List for 1993 to consider applicant's claim. These directions were to be implemented as expeditiously as possible and preferably before 31.3.99 as applicant was to retire on that date.

3. Both Respondents No.1 and 2 have filed reply affidavits in which it has been stated that the Review Selection Committee met on 30.3.99 to review applicant's case for inclusion in the 1992-1993 select list, but on overall assessment of his service record the Committee did not find his case of such merit as to warrant his inclusion in the 1992-93 select list.

4. Whether such a decision of the Review Selection Committee was correct or not is not something which can be adjudicated in a Contempt petition having regard to the Hon'ble Supreme Court's reply in J.S. Parihar Vs. G.Duggar & Ors. J.T. 1996(9) SC 608. If applicant is aggrieved with the decision taken on merits, it is open to him to challenge the same separately in accordance with law, if so advised.

5. The reply of Respondent No.3 reveals the further action taken by respondents pursuant to the recommendation of the review Selection Committee, which helps explain why respondents did not file their reply earlier.

6. The C.P. is therefore dismissed. Notices discharged.


(KULDIP SINGH)
MEMBER (J)


(S.R. ADIGE)
VICE CHAIRMAN (A).