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CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

C.P. No. 266/98 IN  
O.A No. 2096/94

New Delhi, this the 26th day of October, 1998

Hon'ble Mr. Justice, K.M. Agarwal, (Chairman)  
Hon'ble Mr. R K Aahooja, Member (A)

Sh. Amit Kumar Bhardwaj, S/O Sh.  
Bhagirat Prasad, C-23, Khazan  
Basti, Naangal Ray, New Delhi-46.  
Delhi.

--APPLICANT.

(By Advocate Sh. V K Rao)

Versus

1. Sh. Chaman Lal, Director of Employment, Govt. of NCT, 2, Battery Lane, Delhi.
2. Sh. P V Jaya Krishna, Chief Secretary, Govt. of NCT, 5 Sham Nath Marg, Delhi.

--RESPONDENTS.

(By Advocate -None.)

O R D E R (ORAL)

By Mr. Justice, K. M. Agarwal, Chairman

Heard Sh. V K Rao, counsel for the applicant on admission.

The following direction was made on 22.1.1997 in OA 2096/94 as under:-

"However, if ultimately, on the conclusion of the investigation it is found that the appointment of the applicant was not erroneous and vitiated, the respondents shall consider the resumption of the services of the applicant."

*[Signature]*

Counsel for the applicant does not know that at what stage the investigation is pending. He does not know whether it is concluded or is still pending. Under these circumstances, no contempt has been committed by the respondents.

For proceeding under the Contempt of Courts Act, it is for the applicant first to prove that the investigation has been concluded, the appointment of the applicant was not found to be erroneous or vitiated, and thereafter it could be said that the respondents were ignoring to consider his case for resumption of the services of the applicant pursuant to the said directions. There is no allegation in that regard in the petition for contempt. Therefore, no case is made out for contempt. Accordingly, this Contempt Petition is dismissed.



(K. M. AGARWAL)  
CHAIRMAN



(R. K. AHOOJA)  
MEMBER (A)