

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 Ahooja, 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."

*For*

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.

*Jon*  
(K.M. AGARWAL)  
CHAIRMAN

*R. K. Ahuja*  
(R. K. AHOOJA)  
MEMBER (A)

[sunil]