

Central Administrative Tribunal, Principal Bench

C.P. No.12/2000 In
Original Application No.2334 of 1996

New Delhi, this the 26th day of June, 2000

Hon'ble Mr. S. R. Adige, Vice Chairman(A)
Hon'ble Mr. Kuldip Singh, Member (J)

Shri Ram Saran S/o Shri Ram Din
Deputy Director
Central Water Commission,
501 (S) Sewa Bhawan, R.K. Puram,
New Delhi-110 066.

R/o 2/4 Block-II, New Minto Road Hostel,
New Delhi-110 002.

- Applicant

(By Advocate - Shri K.L. Bhandula)

Versus

1. Shri Z. Hasan
Secretary to the Govt. of India,
Ministry of Water Resources,
Shram Shakti Bhawan,
New Delhi-1.

2. Shri A.D. Mohile,
Chairman,
Central Water Commission,
Sewa Bhawan, R.K. Puram,
New Delhi-66.

- Respondents

(By Advocate - Shri Rajeev Bansal)

O R D E R (ORAL)

By Hon'ble Mr. S. R. Adige, Vice Chairman(A)

1. Heard both sides on C.P. 12/2000 alleging contumacious disobedience of the Tribunal's order dated 6.1.99 in OA 2334/96.

2. By the aforesaid order, respondents had been directed to consider applicant's representation (Memorial) for expunction of adverse remarks for the period 29.9.94 to 31.3.95 by means of a detailed, speaking and reasoned order in accordance with rules and instructions in the light of what had been stated in the order, within 3 months from the date of receipt of a copy of the order and thereafter

(26)

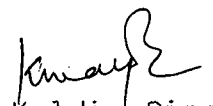
directed to consider his prayer for promotion as Director/SE on ad hoc basis with effect from the date his immediate junior was promoted with consequential benefits.

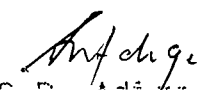
3. Pursuant to the aforesaid order dated 6.1.99, respondents have issued O.M. dated 5.1.2000 in which reference has been made to their earlier order dated 6.7.99 which was a detailed, reasoned and speaking one, the aforesaid order dated- 5.1.2000 also states that the competent authority for reasons given, have decided not to promote applicant to the next higher grade of Director/SE of CWE Service on ad hoc basis w.e.f. the date his immediate junior was promoted.

4. The aforesaid orders have no doubt been passed with delay which should have been eschewed by respondents, but in the light of the aforesaid orders passed by them, it cannot be said that there are sufficient reasons for proceeding against respondents for initiating contempt action against them.

5. If the applicant is dissatisfied with the respondents decision not to promote him on ad hoc basis with effect from the date his immediate junior was promoted, it is open to him to assail the same in accordance with law, if so advised.

6. Subject to the above, contempt proceedings are dropped. Notices discharged.


(Kuldip Singh)
Member (J)


(S.R. Adige)
Vice Chairman (A)

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