

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

C.P.No.266/2001 in O.A.No.1339/2000
C.P.No.267/2001 in O.A.No.1318/2000
C.P.No.268/2001 in O.A.No.1359/2000
C.P.No.269/2001 in O.A.No.1373/2000

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

New Delhi, this the 25th day of May, 2001

C.P.No.266/2001 in O.A.No.1339/2000

Sudhir Bhandari, Chief Controller of Accounts,
Ministry of Information and Broadcasting,
'H' Block, Tropical Building,
Connaught Circus, New Delhi-1.

...Petitioner

(Petitioner in person)

-Versus-

1. Shri C.M. Vasudev, Secretary (Expenditure),
Ministry of Finance, Deptt. of Expenditure,
North Block, New Delhi.
2. Shri A.M. Sehgal, Controller General of Accounts,
Ministry of Finance, Deptt. of Expenditure,
Lok Nayak Bhavan, New Delhi - 110 003.
3. Sh. B.B. Tandon, Secretary (Personnel),
Deptt. of Personnel & Training, North Block,
New Delhi.
4. Shri B.K. Mishra, Secretary, UPSC,
Dholpur House, New Delhi-110 003.

...Respondents

(By Advocate Shri P.H. Ramchandani)

C.P.No.267/2001 in O.A.No.1318/2000

Udaya Shankar Pant, Chief Controller of Accounts,
Ministry of Steel and Mines, Udyog Bhawan,
New Delhi - 110 001.

...Petitioner

(Petitioner in person)

-Versus-

1. Shri C.M. Vasudev, Secretary (Expenditure),
Ministry of Finance, Deptt. of Expenditure,
North Block, New Delhi.
2. Shri A.M. Sehgal, Controller General of Accounts,
Ministry of Finance, Deptt. of Expenditure,
Lok Nayak Bhavan, New Delhi - 110 003.
3. Sh. B.B. Tandon, Secretary (Personnel),
Deptt. of Personnel & Training, North Block,
New Delhi.
4. Shri B.K. Mishra, Secretary, UPSC,
Dholpur House, New Delhi - 110 003.

...Respondents

(By Advocate Shri P.H. Ramchandani)

C.P.No.268/2001 in O.A.No.1359/2000:

M.Pran Konchady, Chief Controller of Accounts,
Ministry of Surface Transport, IDA Building,
New Delhi-1.

...Petitioner

(Petitioner in person)

-Versus-

1. Shri C.M. Vasudev, Secretary (Expenditure),
Ministry of Finance, Deptt. of Expenditure,
North Block, New Delhi.
2. Shri A.M. Sehgal, Controller General of Accounts,
Ministry of Finance, Deptt. of Expenditure,
Lok Nayak Bhavan, New Delhi-110 003.
3. Sh. B.B. Tandon, Secretary (Personnel),
Deptt. of Personnel & Training, North Block,
New Delhi.
4. Shri B.K. Mishra, Secretary, UPSC,
Dholpur House, New Delhi - 110 003.

...Respondents

(By Advocate Shri P.H. Ramchandani)

C.P.No.269/2001 in O.A.No.1373/2000:

Amarendra Nath Bokshi, Chief Controller of Accounts,
Ministry of Urban Development, Nirman Bhawan,
New Delhi-110001.

...Petitioner

(Petitioner in person)

-Versus-

1. Shri C.M. Vasudev, Secretary (Expenditure),
Ministry of Finance, Deptt. of Expenditure,
North Block, New Delhi.
2. Shri A.M. Sehgal, Controller General of Accounts,
Ministry of Finance, Deptt. of Expenditure,
Lok Nayak Bhavan, New Delhi-110 003.
3. Sh. B.B. Tandon, Secretary (Personnel),
Deptt. of Personnel & Training, North Block,
New Delhi.
4. Shri B.K. Mishra, Secretary, UPSC,
Dholpur House, New Delhi - 110 003.

...Respondents

(By Advocate Shri P.H. Ramchandani)

O R D E R (ORAL)

By Mr. V.K. Majotra, Member (Admnv.):

Vide order dated 16.2.2001 the OA was disposed
of with the following directions:

"In the result, the O.A. is
allowed. The respondents are directed to
hold a review DPC for 7 vacancies of the

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year 1998-99 including 3 carried forward vacancies and consider for promotion to SAG applicants among others who were eligible for appointment to SAG as on 1.1.1999. If applicants are found fit for empanelment for SAG for the panel year 1998-99 they shall be granted notional promotion in SAG from the date they are found fit, however, they shall be granted all consequential benefits from the date they have been holding the current charge of post of CCA. Before we may part, it is observed that, as already stated above, in the event of reversion of those already promoted on basis of the DPC held on 5.4.1999, they shall be put to a show cause notice prior to taking decision for their reversion. No costs."

2. We have heard the Petitioners in person and also Shri P.H.Ramchandani, learned counsel for the respondents, though the respondents have not yet been issued any notice. The petitioners have stated that the respondents were supposed to hold a review DPC as per the directions of this Court. Instead of holding a review DPC they have gone ahead to schedule the regular DPC for the panel year 1999-2000 which is in violation of the directions of this Court.

3. The learned counsel for the respondents has brought to our notice that no time limit had been prescribed for complying with the directions of the Court in order dated 16.2.2001. Accordingly, the respondents have a period of six months with them for implementing the directions of the Court within six months commencing from the date of receipt of a copy of the orders. He stated that the Court's order has been received by the respondents on 2.3.2001. As the respondents had received the order dated 16.2.2001 on 2.3.2001 and since no time limit had been prescribed for implementing the directions of the Court, respondents have time till 2.9.2001. Further, in our view, holding a DPC for the panel year 1999-2000 is

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not relevant for adjudicating upon the contempt involved in disobedience of the orders dated 16.2.2001. In case the respondents do not bring a stay order from the Hon'ble High Court against the order dated 16.2.2001 before 2nd September, 2001 or they do not implement the directions of this Court, then petitioners will have a case for proceedings under the provisions of the Contempt of Courts Act.

4. In view of the discussion made above, the above Contempt Petitions are premature and are accordingly dismissed.

(Shanker Raju)
Member(J)

(V.K.Majotra)
Member(A)

/rao/

Attested

Priguer

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