

CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH

C.P.No. 449/2000

IN

OA No. 233/2000.

New Delhi, dated this the 15th day of MAY, 2001

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

HON'BLE DR. A. VEDAVALLI, MEMBER (J)

Capt. K. S. Malhotra,
S/o Late Shri P. S. Malhotra,
Junior Staff Officer,
Directorate of Civil Defence
and Home Guards,

Delhi.

....Petitioner.

(By Adv. Shri M. C. Dhingra)
Versus

Shri P. S. Bhatnagar, IAS,
Chief Secretary,
Govt. of NCT, Delhi,
5, Sham Nath Marg,
Delhi.

2. Shri Kulbir Singh, IPS,
Director General,
Home Guards & Director Civil
Defence, Nishkam Sewa Bhawan,
CTI Complex,
Raja Garden,
New Delhi-27.

.....Respondents.

(By Advocate: Shri Rajendra Pandita)
ORDER

S. R. Adige, VC(A):

Heard both sides on CP No. 449/2000 arising out of
the Tribunal's order dated 3.7.2000 in OA No. 233/2000.

2. By that order dated 3.7.2000 respondents were
directed to consider applicant's case for promotion
on completion of 12 and 24 years of service in accordance
with the ACP Scheme. The Bench had noted that applicant
had completed 12 years of service in 1983 and 24 years of
service in 1995.

3. In compliance of these directions, respondents
have considered applicant's case, and passed orders dated
17.1.2001 (Annexure-XXIV) with which applicant is
aggrieved.

14

4. Applicant's grievance in regard to respondents' aforesaid order dated 17.1.2001 is not a matter which can be adjudicated upon in the course of these contempt proceedings as has been laid down by the Hon'ble Supreme Court in Parihar's case JT 1996(9) SC 608.

5. Respondents' aforesaid order dated 17.1.2001 gives applicant a fresh cause of action which he may avail separately in accordance with law, if so advised. Giving leave to applicant as aforesaid the CP is dropped. Notices are discharged.

A. Veda Valli
(DR. A. VEDAVALLI)
MEMBER (J)

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

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