



**Central Administrative Tribunal
Principal Bench, New Delhi**

**C.P. No. 11/2020
in
O.A. No. 165/2013**

This the 7th day of September, 2020
(Through Video Conferencing)

Hon'ble Mr. R.N. Singh, Member (J)
Hon'ble Ms. Aradhana Johri, Member (A)

Dr. Pradeep Kumar Goswami,
S/o. Sh. Bhagawan Giri Goswami,
R/o. H. No. 1/7475,
Gali No. 12-A, East Gorakh Park,
Shahdara, Delhi.

...Applicant

(By Advocate: Sh. M.D. Jangra)

VERSUS

1. Sh. Vijay Kumar Dev,
Chief Secretary,
Govt. of NCT of Delhi,
Delhi Secretariate, I.P. Estate,
Delhi.
2. Ms. Geetanjali Gupta,
Chairman/Secretary,
3rd Floor, UTCS Building,
Institutional Area,
Vishwas Nagar, Shahdara, Delhi – 110 032.
3. Sh. Gyanesh Bharati,
Commissioner,
South MCD, Civic Centre, New Delhi.
4. Sh. Randhir Sahay,
Addl. Commissioner,
Dr. SPM, Civic Centre,
Minto Road, New Delhi.

...Respondents

(By Advocates: Ms. Esha Mazumdar for Respondents
No. 1 and 2; Ms. Anupama Bansal for Respondents
No. 3 and 4)

ORDER (Oral)



Hon'ble Mr. R.N. Singh, Member (J):

The present Contempt Petition has been filed by the petitioner, alleging willful defiance of the direction of the Tribunal in order dated 09.09.2016. Paras 8 and 9 of the said order of this Tribunal read as under:-

“8. In view of the facts explained above, we are of the view that respondents have taken an incorrect view that the applicant does not fulfill the required experience. Therefore, the impugned order dated 08.11.2012 is quashed and set aside and the respondents are directed to appoint the applicant to the post of A. Compounder. He will draw pay and allowances from the day he joins. No arrears can be paid to the applicant.

9. We fix a time frame for implementation of our order as 90 days from the date of receipt of a certified copy of this order.”

2. It is informed by the learned counsel for the parties that the aforesaid order was challenged before the Hon'ble High Court of Delhi and thereafter, before the Hon'ble Apex Court and the same was upheld by the Hon'ble High Court and subsequently by the Hon'ble Apex Court.

3. Heard the learned counsels for the parties. It is not in dispute that the respondents have now issued the offer of appointment to the petitioner to the post of Compounder and the applicant has given his acceptance.



4. Learned counsel for the petitioner informs that though the petitioner has given his acceptance to the aforesaid offer of appointment, however, the petitioner is not being allowed to join and perform his duties.

5. Per contra, learned counsel for the respondents informs that the petitioner is required to submit the original certificates, which the petitioner has failed to produce before the Competent Authority under the respondents. This fact is being disputed by Sh. M.D. Jangra, learned counsel for the petitioner.

6. In the aforesaid facts and circumstances, with the consent of the parties, it is ordered that the petitioner will approach the Additional Director (Ayurveda) and he will submit his original documents to him for his perusal and necessary action thereon on 10.09.2020 between 10.30 a.m. and 12.30 p.m..

7. In view of the aforesaid, the present Contempt Petition is closed. Notices are discharged. However, the petitioner will be at liberty to revive the present CP by way of an appropriate MA, if occasion arises therefor and if so advised.

(Aradhana Johri)
Member (A)

(R.N. Singh)
Member (J)