



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

C.P. No.141/2020

In

O.A. No.3079/2019

This the 9th day of October, 2020

(Through Video Conferencing)

**Hon'ble Mr. A.K. Bishnoi, Member (A)
Hon'ble Mr. R.N. Singh, Member (J)**

1. Amin Uddin Khan, Aged about 67 years
Group 'C'
S/o Wahab Uddin Khan
Retd. Yoga Teacher From K. V. Aliganj Lucknow
R/o H. No. 483, Zakir Nagar West,
P.O. Jamia Nagar,
New Delhi-110025
2. Raj Kumar Sharma, Aged about 62 years,
Group 'C'
Late V. D. Sharma
Retd. Yoga Teacher From K. V. No. 2 Agra Cantt.,
R/o 59/121, B-2 Ajit Nagar Gate,
VIP Road Agra
Agra-282001, U.P

...Petitioners

(By Advocate: Shri A.K. Bhakt)

VERSUS

1. Ms. Nidhi Pandey
Commissioner
Kendriya Vidyalaya Sangthan
18, Institutional Area,
Shaheed Jeet Singh Marg, New Delhi- 110016
2. Dr. E. Prabhakar
Joint Commissioner (finance)
Kendriya Vidyalaya Santhan,
18, Institutional Area,
Shaheed Jeet Singh Marg,
New Delhi- 110016

...Respondents

(By Advocate: Shri R. Gourishanker for Shri
S.Rajappa)



ORDER (Oral)

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

The present CP has been filed by the petitioners alleging defiance of the directions of this Tribunal in order/judgment dated 17.10.2020 in the aforesaid OA 3079/2019. Para 4.0. of the aforesaid order/judgment dated 17.10.2019 reads as under:-

“4.0. In view of the above, the OA is disposed of at the admission stage itself, without going into the merits of the case, with a direction to the respondents to decide aforementioned representations of the applicants by passing a reasoned and speaking order, within a period of three months from the date of receipt of a certified copy of this order, under advice to the applicants. The applicants shall be at liberty to approach the Tribunal in case some grievance still subsists. No orders as to the costs.

2. In response of notice from this Tribunal, the respondents have filed memorandum of compliance annexing therewith Memorandum dated 09.12.2019 (Annexure R/1). Learned proxy counsel for the respondents submits that in compliance of the Order/Judgment dated 17.10.2019, a speaking order vide Memorandum dated 09.12.2019 has been issued.

3. *Per contra*, learned counsel for the petitioners submits that the said Memorandum issued in furtherance of directions of this Tribunal is not in letter and spirit of the aforesaid Order of this Tribunal.



4. We have heard the learned counsel for the parties and have perused the pleadings available on record.

5. We are of the considered view that once in furtherance of directions of this Tribunal, the respondents have considered the grievance of the petitioners and have passed speaking order vide Memorandum dated 9.12.2019, no further direction can be issued in the present Contempt Petition. In this regard, we may refer to the law laid down by the Hon'ble Supreme Court in the case of **J. S. Parihar v. Ganpat Duggal**, AIR 1997 SC 113.

6. In view of the aforesaid, the present CP is closed and notices issued to the respondents are discharged.

(R.N. Singh)
Member (J)

(A.K. Bishnoi)
Member (A)

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