



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

**C.P. No. 184/2020 in
O.A. No. 2451/2014**

This the 30th day of September, 2020

(Through Video Conferencing)

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. A.K. Bishnoi, Member (A)**

Shri V.V.K. Sharma
S/o Sri V Rama Murty, Administrative Officer,
Regional Outreach Bureau (S&DD),
Ministry of Information and Broadcasting,
Room No.202, CGO Tower,
Kawadiguda, Hyderabad-500080.

...Petitioner

(By Advocate: Shri Vinay Gupta)

VERSUS

1. Shri Amit Khare,
Secretary, Union of India,
Ministry of Information and Broadcasting,
'A' Wing, Shastri Bhawan,
New Delhi-110001.
2. Shri Satyendra Prakash,
Director General,
Bureau of Outreach & Communication,
Ministry of Information and Broadcasting,
2nd Floor, Soochna Bhawan, CGO Complex,
Lodhi Road, New Delhi-110003.

...Respondents/Contemnors

(By Advocate: Shri Hilal Haider)



ORDER (Oral)

Hon'ble Mr. Justice L. Narasimha Reddy, Chairman:

The petitioner filed OA.2451/2014 feeling aggrieved by non consideration of his case for promotion to the post of Assistant Director. The OA was decided on 24.02.2020. It was observed that the applicant was facing a criminal case as well as disciplinary proceedings and unless he gets cleared in those proceedings, he cannot be promoted. At the same time it was directed that as and when the DPC meets, the sealed cover procedure shall be adopted in this case. This CP is filed alleging that the DPC infact met on 23.01.2020 and the respondents have misled the Tribunal by not stating that.

We heard Mr.Desi Gupta, learned counsel for the applicant and Mr.Hilal Haider, learned counsel for the respondents.

It may be true that the factum of the DPC having been held on 23.01.2020 was not taken note of, whatever be the lapse on the part of the respondent/applicant, the fact however remains that the applicant cannot expect promotion as long as the criminal and disciplinary proceedings pending against him. It is stated that he would retire on 31.10.2020, even if that is so; he has to



work out his remedies in case his acquittal in the criminal case and disciplinary proceedings are dropped. In such an event the respondents can be required to convene a review DPC to extend him the benefit on par with his junior.

The Contempt Petition is closed. There shall be no order as to costs.

(A.K. Bishnoi)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

/cc/jyoti/vandana/sd