

Item No.19



**CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

**CP No.99/2021 in CP No.173/2017  
in OA No.1281/2000  
MA No.111/2020, MA No.1642/2020**

**This the 28<sup>th</sup> day of June, 2021**

(Through Video Conferencing)

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman  
Hon'ble Ms. Aradhana Johri, Member (A)**

1. Nirbhay Kumar  
Aged about 48 years  
SP/CBI/BSFB/New Delhi  
S/o Shri S. V. Saxena,  
R/o 816, Gaur Valerio,  
Indirapuram, Ghaziabad.
2. Madhu Sudan Singhal,  
Aged about 48 years,  
SP/CBI/EO-I, New Delhi,  
S/o Late Prof. Krishan Lal Singhal,  
R/o D-II/233, Vinay Marg Chankya Puri,  
New Dlehi – 110021.
3. T. Rajahbalaji,  
Aged about 50 years,  
SP/CBI Academy/Ghaziabad,  
S/o Shri C. Thiagrajan,  
R/o F-4, Type -V Apartments, Tower – 15,  
East Kidwai Nagar, New Delhi – 110023.
4. Vivek Priyadarshi,  
Aged about 48 years,  
SP/CBI ACB/Jaipur,  
S/o Shri C. B. Arya,  
R/o E-504, DJA Apartments, Plot No. 1A,  
Sector -13, Dwarka, New Delhi.

...Applicants

(By Advocate: Mr. A.K. Behera)

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1. Ajay Mittal, Secretary  
DoPT, Govt. of India  
North Block, New Delhi.
2. Rishi Kumar Shukla  
Director, Central Bureau of Investigation  
CBI Headquarters  
Lodhi Road, New Delhi.
3. Vasudha Mishra  
Secretary, UPSC, Dholpur House  
New Delhi.

...Respondents

(By Advocates: Mr. Hanu Bhaskar, Mr. Naresh Kaushik  
and Mr. Gyanendra Singh)

### **O R D E R (ORAL)**

**Justice L. Narasimha Reddy, Chairman :**

This contempt case is filed alleging that the respondents have flouted the directions issued by this Tribunal in the order dated 22.08.2019 in CP No.173/2017 in OA No. 1281/2000. This is the 3<sup>rd</sup> or 4<sup>th</sup> hearing that has taken place in this contempt case.

2. We heard Mr. A.K. Behera, leaned counsel for the applicants and Mr. Hanu Bhaskar, Mr. Naresh Kaushik & Mr. Gyanendra Singh, learned counsel for the respondents.

3. This contempt has arisen out of an order passed in another Contempt case. The OA was in relation to the seniority among the officers in the CBI. The facts were so complicated that the state of affairs came into existence on the basis of an order passed by the Hon'ble High Court in a Review Petition. In CP No.173/2017,

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extensive discussion was undertaken and it was held that the respondents shall take the seniority list dated 07.11.2016, for the post of DSP; as final and any promotion thereafter shall be, with reference to that seniority list. The petitioners herein were also the petitioners in CP No.173/2017. The provocation for them to file this CP is, an order dated 22.01.2020. Through the said order, the respondents have adjusted the places of ASPs for the panel year 2003. Earlier to this, the applicants were in the panel year of 2003 and even now they are continuing in that. Their grievance is that their immediate junior were shown above them in the list.

4. One is yet to know whether the order dated 21.10.2019 reflects the seniority among the officers or whether it has any other purpose to serve. Be that as it may, in case the applicants have any grievance vis-à-vis any person who is said to have been shown senior to them, the remedy is different. There is nothing on record to show that the respondents have deviated from the seniority list dated 07.11.2016 for the post of DSP.

5. Therefore, we close the contempt case, leaving it open to the applicants to pursue the remedies, in accordance with law, if they have any grievance.

**(Aradhana Johri)**  
**Member (A)**

**(Justice L. Narasimha Reddy)**  
**Chairman**

/jyoti/sarita/vb/ankit/