

**Central Administrative Tribunal
Principal Bench**



**CP No.24/2020
OA No.972/2017**
MA No.3154/209
RA No.11/2021
MA No.293/2021
MA No.1370/2020

New Delhi, this the 15th day of March, 2021

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

Smt. Saroj Sharma,
Aged about 63 years,
Retd. TGT, Kendriya Vidyalaya,
Paschim Vihar, , New Delhi
W/o Sh. MR Sharma,
R/o H.No.134, Village: Haiderpur,
Delhi-110088

- Applicant

(By Advocate : Mr.Suresh Sharma)

Versus

1. Shri Amit Khare,
Secretary,
Department of School Education,
Ministry of Human Resource Development,
Shastry Bhawan, New Delhi-110001

2. Shri Santosh Kumar Mull,
Commissioner,
Kendriya Vidyalaya Sangathan,
18, Institutional Area,
Shaheed Jeet Singh Marg, New Delhi

3. Dr. E. Prabhakar,
Joint Commissioner (Finance)
Kendriya Vidyalaya Sangathan,
18, Institutional Area,
Shaheed Jeet Singh Marg, New Delhi

- Respondents

(By Advocate : Mr. S. Rajappa)

: O R D E R (ORAL) :**Justice L. Narasimha Reddy :**

This Contempt Case is filed, alleging that the respondents did not implement the order dated 24.09.2019 in OA No. 972/2017.

2. We heard Mr. Suresh Sharma, learned counsel for the applicant and Mr. S. Rajappa, learned counsel for the respondents, at some length.
3. The Contempt Case has undergone several adjournments. The record discloses that the respondents have filed Writ Petition No. 728/2021 before the Hon'ble High Court, challenging the order dated 24.09.2019 in OA No. 972/2017. On 19.01.2021, the Hon'ble High Court passed an order, leaving it open to the respondents in OA to file a Review Petition. The fact that the relevant material was not available when the counter affidavit was filed in the OA, was taken note of.
4. The respondents have since filed the Review Petition, accompanied with an application for condonation of delay. Though we were inclined to dispose of all the petitions together, learned counsel for the applicant in the OA insisted

that the issue pertaining to the condonation of delay must be decided first.

5. As of now, there are conflicting views on the question whether the delay can be condoned in the Review Petition. We propose to deal with the same in detail at a later stage.

6. However, since the Review Petition is pending, there is no point in proceeding with the contempt case. Accordingly, we close the Contempt Case.

7. Post the MA for condonation of delay in Review Petition on 26.04.2021.



(A. K. Bishnoi)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

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