

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



**C.P. No. 87/2021
O.A. No. 1492/2020**

This the 18th day of June, 2021

(Through Video Conferencing)

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

(i) Sh. Ashok Kumar
S/o Shri Balwan Singh
Aged about 36 years
R/o RZ-67/68, Phase-II
Prem Nagar, Nazafgarh,
New Delhi-110043
Primary Teacher
M.C.P.S Qutub Vihar (Boys)
S.D.M.C, Nazafgarh Zone
Group-'B' Appointment
Mobile : 9540646385

... Applicant
(through Advocate: Shri Ranjit Sharma)

Versus

1. Udit Prakash Rai
The Director of Education,
Government of N.C.T.D, Delhi
Old Secretariat, Delhi-54
2. Gyanesh Bharti
Commissioner, South DMC
Civic Centre, JLN Marg, New Delhi-02

... Respondents
(through Advocate: Ms. Esha Mazumdar)

ORDER (Oral)

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

The present contempt petition has been filed by the petitioner alleging wilful and deliberate defiance of direction of this Tribunal dated 13.1.2021 (Annexure P.1). Paragraphs 4 and 5 of the aforesaid order/judgement read as under :-

“4. In view of the aforesaid, the OA is disposed of with the consent of the learned counsels for the parties with direction to respondent no.3 to relieve the applicant within four weeks of completion of the relevant formalities by the applicant in accordance with the relevant rules to enable him to join the post offered by respondents no. 1 & 2. Thereafter the seniority & pay fixation of the applicant shall be considered and order in this regard will be passed by the respondents no. 1 & 2 positively within three months of the appointment of the applicant.

*5. The OA is disposed of in the aforesaid terms.
No costs.”*

2. Counsel for respondent No.1 with the assistance of reply filed by respondent No.1 submits that offer of appointment has already been issued to the applicant. Shri Rajeev Kumar, learned counsel for the respondent No.2 submit that relieving order in compliance of the directions of this Tribunal in the aforesaid Order/Jjudgement has been released and an attempt was also made by the respondent No.2 to serve a copy of the same upon the petitioner.



However, the petitioner refused to accept the same. He further submits that if the petitioner approaches the office of respondent No.2, a copy of the relieving order will be supplied to the petitioner. Besides, a copy of relieving order shall be issued by speed post, if not already issued, positively within 3 days from today. In view of the aforesaid, the present contempt petition may be closed and the directions qua the seniority and pay fixation of the applicant shall be considered by the respondents only after the applicant joins the new post in terms of the Order of this Tribunal dated 13.1.2021.

3. In view of the aforesaid, the present CP is closed. Notices are discharged. However, the petitioner shall be at liberty to approach this Tribunal by way of an appropriate application for revival of the contempt petition, if occasion requires.

(R.N. Singh)
Member (J)

(A. K. Bishnoi)
Member (A)

/ravi/daya/