



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

C.P. No. 171/2021

O.A. No.615/2021

This the 26th day of August, 2021

(Through Video Conferencing)

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

Satish Kumar Sethi,
Aged 59 years,
S/o Sh. Harish Chand Sethi,
Working as Senior Grade-III (DASS)/UDC,
In GNCT of Delhi.
R/o 3059, 1st Floor, Mahindra Park, Rani Bagh, New Delhi-34.
... .. Petitioner
(through Advocate: Shri Yogesh Sharma)

Versus

1. Sh. Vijay Kumar Dev,
Chief Secretary,
Govt. of NCT of Delhi, Delhi Sectt., Near ITO, New Delhi.
2. Sh. Ravi Dhawan,
Secretary (Services),
Govt. of NCT of Delhi, Delhi Sectt., Near ITO, New Delhi.
3. Ms. Padmini Singha
Commissioner,
Department of Food Supplies & Consumer Affairs,
Govt. of NCT of Delhi, K Block, Vikas Bhawan,
I.P Estate, New Delhi-110002.
4. Sh. Udit Prakash Rai
Director,
Directorate of Education
Govt. of NCT of Delhi, Old Sectt. New Delhi.
5. Sh. Dr. Ranbir Singh,
Chief Electoral Officer,
Govt. of Delhi, Old St. Stephan College Building,
Kashmere Gate, Delhi.

... Respondents

(through Advocate: Sh. H.A Khan)

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

The present Contempt Petition has been filed by the petitioner alleging wilful defiance of the directions of this Tribunal in the Order/Judgment dated 19.03.2021 in the aforesaid OA.

2. Pursuant to notice from this Tribunal, the respondents have filed a Compliance Affidavit along with a speaking order dated 18.08.2021 (Annexure R-I). The learned counsel for the petitioner invites our attention to paragraph 1 of internal page 2 of the aforesaid speaking order, which reads as under:

“Hence, on the basis of facts that have emerged from the reports/documents received from Education & Election Department and observations of the Cadre Controlling Authority i.e. services Department the following has been decided in the matter of non-payment of salary for the period 29.07.2009 to 19.11.2014:-

1. That the Election Department has duly forwarded the attendance in respect of Sh. Satish Kumar Sethi, Sr. Assistant for the period from 29.07.2009 to 04.03.2014 which substantiates that the official has worked in Election Department for the said period which entitles him for payment of salary for the said period. Hence, the salary for the period 29.07.2009 to 04.03.2014 be released to the Sh. Satish Kumar Sethi, Sr. Assistant.



2. *As the Education Department has not provided the attendance for the period from 05.03.2014 to 19.11.2014, the salary for the said period could not be released by F&S Department as there is nothing on record which substantiates the presence of the official or any leave sanctioned by the Competent Authority during that period. However, the Education Department may take further suitable action with reference to their recommendation made in letter dated 14.06.2021 for such acts considering the documents available on record with their office(s).*

3. *In respect of the observations of Education Department regarding non-compliance of the directions issued by the Education Department vide stand relieving order to join F&S Department and continued working in Election Department without any valid order of Competent Authority, the Education Department may also take further suitable action with reference to their recommendation made in letter dated 14.06.2021 for such acts considering the documents available on record with their office(s). ”*

3 Mr. H.A Khan , learned counsel for the respondents submits that the respondents shall release the salary as admissible under the Rule to the petitioner for the period 29.07.2009, 04.03.2014 as expeditiously as possible within six weeks' from the date of receipt of this order.

4. In view of the aforesaid, the present CP is closed. However, the petitioner shall be at liberty to approach this

Tribunal by way of an MA, if the grievances of the applicant still survive. Notices issued to the respondents are discharged.



(R.N. Singh)
Member (J)

(A. K. Bishnoi)
Member (A)

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