



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

C.P. No.174/2021

IN

O.A. No. 595/2021

This the 27th day of August, 2021

(Through Video Conferencing)

Hon'ble Mr. A.K. Bishnoi, Member (A)

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

Ravendra Kumar, MT Asst. 'B', Group 'C'

(Aged about 4 years),

S/o Sh. Puse Lal,

R/o A-2, 2nd Floor Santram Building,

Near Syndicate Bank,

Main Road Asola Fatehpur Beri,

New Delhi – 110074

..Applicant

(Through Advocate: Shri Suresh Sharma)

VERSUS

1. Shri Anil Dhasmana,

Chairman,

NTRO, Block-III,

Aya Nagar, New Delhi – 110047

2. Ms. Anuradha Joshi Durgapal,

Controller of Administration

NTRO, Block-III,

Aya Nagar, New Delhi – 110047

3. Sh. M. Umamahesh Dev,

Head of Office,

Govt. of India, NTRO,

Base Unit Bhopal,

Base Unit Bhopoal,

Samardha Forest, Kirat Nagar,

Bhopal – 462010

...Respondents

(Through Advocate: Shri Hanu Bhaskar)

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

The present petition has been filed alleging wilful defiance of this Tribunal in order dated 16.03.2021 (Annexure A/1) in the aforesaid OA. The order dated 16.03.2021 of this Tribunal reads as under:

"5. In view of the aforesaid, without going into the merits of the claim, the present OA is disposed of with directions to the respondents to consider the applicant's aforesaid pending appeal(s) and to dispose of the same by passing a reasoned and speaking order, as expeditiously as possible and in any case within 8 weeks of receipt of a copy of this order. The OA is disposed of with the aforesaid directions. No order as to costs."

2. Pursuant to notice from this Tribunal, the respondents have filed reply. With the assistance of such reply, learned counsel for the respondents, Sh. Hanu Bhaskar vehemently argued that the present Contempt Petition is not maintainable inasmuch as in spite of the fact that the applicant's statutory appeal/representations have already been disposed of vide letter/order dated 08.01.2021 and service of the same, was being deliberately avoided by the petitioner. The petitioner has filed the aforesaid OA and when the OA was being disposed of on 16.03.2021, the

applicant has deliberately not brought this fact to the notice of this Tribunal. He invites our attention to Paragraph 2 of the reply which reads as under:



“2. That at the outset, it is submitted that the present petition is a gross abuse of the process of law and ought to be dismissed outrightly with heavy costs upon the petitioner. That based on a disciplinary proceeding under Rule 14 of the CCS(CCA) Rules, 1965, a penalty of ‘Compulsory Retirement’ was imposed on Shri Ravendra Kumar vide order dated 09.09.2020. Subsequently, the appeals preferred by the said Shri Ravendra Kumar have been disposed of by the Appellate Authority vide detailed speaking order dated 08.01.2021. However, the petitioners deliberately/wilfully avoided receiving the said order and despite best efforts to contact him at his last known residential address and mobile number, he not even turned up to complete the post-retirement formalities. Thereafter, a copy of the said order dated 08.01.2021 was forwarded to his permanent address (District Kannauj, UP) vide letter dated 12.02.2021 and again vide letter dated 26.03.2021, which was eventually received by him after initially avoiding receipt of the same. Thus, the petitioner’s contention that the said order dated 08.01.2021 had never been delivered/or attempted to be delivered before the passing of the order dated 16.03.2021 in OA No. 595/2021 by the Hon’ble Tribunal is misleading and false. The petitioner was aware of the same even on 16.03.21, when the order was passed by the Hon’ble Tribunal and assuming he was unaware, he was informed on the said date about the passing of the said order. Despite thereof he has preferred the present Contempt Petition.”



3. We have heard the learned counsel for the parties and have also perused the pleadings on record. We are satisfied that in view of the order dated 08.01.2021, no order was further required to be passed by the respondents in compliance of the directions of this Tribunal and hence there is no contempt. Accordingly, the present Contempt Petition is closed. Notices are discharged. However, in the facts and circumstances, no order as to costs.

(R.N. Singh)
Member (J)

(A.K. Bishnoi)
Member (A)

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