

Item No.22



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

**CP No.194/2020
in
OA No.2370/2012
MA No.483/2021**

This the 24th day of June, 2021

(Through Video Conferencing)

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

Dr. Ashok Kumar Rawat,
S/o Shri J.S. Rawat,
R/o 382/2, Nirankari Colony,
Delhi-110009.

... Applicant

(By Advocate: N.S. Dalal)

Versus

1. Shri Gyanesh Bharti,
Commissioner,
North Delhi Municipal Corporation,
Dr. S.P. Mukherjee Civic Centre,
Minto Road,
New Delhi-110002.
2. Shri Gopal,
Director (Personnel),
North Delhi Municipal Corporation,
Dr. S.P. Mukherjee Civic Centre,
Minto Road,
New Delhi-110002.

...Respondents

(By Advocate : Shri R.V.Sinha with Shri Amit Sinha and Shri
M.K. Bhardwaj)

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

This Contempt case is filed alleging that the respondents did not implement the order dated 16.03.2017 passed by this Tribunal in OA No.2370/2012 with OA No.1154/2012.

2. Today, we heard learned counsel for the parties at length.

3. It is not in dispute that the applicant filed CP No.93/2018 complaining that the order dated 16.03.2017 in OA was not implemented. When that CP was taken up for hearing, it was represented that the Writ Petition No.9298/2017 was filed before the Hon'ble High Court of Delhi, assailing the order in the OA. Vide its order dated 08.01.2019, the Hon'ble High Court disposed of the Writ Petition, by modifying the order in the OA on certain aspects. Taking note of that fact, Tribunal passed an order on 18.02.2019, closing the contempt case and leaving it open to the applicant to pursue the remedies, in accordance with law. In case the applicant was aggrieved or not satisfied with the order dated 08.01.2019, it was open to him to challenge that before the Hon'ble High Court or to seek a review. However, he has chosen to file a fresh contempt case. Once the Tribunal

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closed contempt case filed by the applicant in respect to that
very order in the OA, second CP is not maintainable.

4. Therefore, we close the CP.

There shall be no order as to costs.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

lg/rk/ankit/sd