

CENTRAL ADMINISTRATIVE TRIBUNAL,  
JAIPUR BENCH, JAIPUR

CONTEMPT PETITION NO.79/2013  
IN  
ORIGINAL APPLICATION NO. 492/2012

DATE OF ORDER: 11.02.2016

**CORAM**

**HON'BLE MR. JUSTICE MEHINDER SINGH SULLAR, JUDICIAL MEMBER  
HON'BLE MS. MEENAKSHI HOOJA, ADMINISTRATIVE MEMBER**

1. Parmeshwar Meena S/o late Shri C.B. Meena (Ex. STA) (DO), Office of Dy. Director General, Geological Survey of India, Western Region, 15-16, Jhalana Dungri, Jaipur, aged 35 years, Resident of Village Choru, Tehsil Uniara, District Tonk (Rajasthan).
2. Viendra Kumar Son of Late Shri Dineshwar Prasad, aged 28 years, Resident of F-8, Vigyan Nagar Extension, Village Mahal, Jagatpura, Jaipur.

...Applicants

**VERSUS**

1. Shri A. Sundermurty, Director General, Geological Survey of India, (HQ), 27, JLN Road, Kolkatta (W.B.).
2. Shri I.R. Kirmani, Dy. Director General, Geological Survey of India, Western Region, 15-16, Jhalana Dungri, Jaipur (Raj.).

...Respondents

Mr. Amit Mathur, counsel for petitioners.

Mr. Neeraj Batra, counsel for respondents.

**ORDER**

**PER MR. JUSTICE MEHINDER SINGH SULLAR, JUDICIAL MEMBER**

1. The epitome of the facts and in  needs a necessary mention for the limited purpose of deciding the instant Contempt Petition (for short, CP) preferred by the petitioner under Section 17 of Administrative Tribunals Act, 1985 read with Contempt of Court Act for non-compliance of the order of this Bench of the Tribunal dated 21<sup>st</sup> August 2013 in Original Application (for brevity, OA) No. 492/2012, is that in the wake of main OA filed by the

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petitioners Parmeshwar Meena S/o late Shri C.B. Meena and Viendra Kumar S/o late Shri Dineshwar Prasad, this Bench decided the matter and directed the respondents as under: -

“22. Therefore, in the interest of justice, the respondent no. 2, the Director, Geological Survey of India, Kolkatta (correct nomenclature being Director General) is directed to examine whether the vacancy for compassionate appointment existed on the date of the meeting of the committee for compassionate appointment and to decide this issue by passing a reasoned & speaking order according to the provisions of law within a period of two month from the date of receipt of a copy of this order.

23. Director General, Geological Survey of India is also directed to consider the provisions of Clause 18(d) of the DOPT OM NO. 14014/02/2012-Estt. (D) dated 16.01.2013 while deciding this issue.

24. xxxxx

25. xxxxx

26. The applicants will be at liberty to redress their grievances by filing a substantive OA if any adverse order is passed against them by the respondents.

27. xxxxx

28. xxxxx”

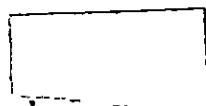
2. Now the petitioners have preferred the present CP to take appropriate action against the respondents for non-compliance of the indicated order.

3. The respondents have contested the CP and filed the reply, inter alia, pleaded that the respondent no. 1 (in CP) has decided the matter and passed a speaking order dated 04.11.2013 (Annexure CPR/2) and has thus fully complied with the directions contained in the order of this Bench.

*Selvar*  
4. Having heard the learned counsel for the parties, having gone through the record with their valuable help, we are of the considered view that there is no merit in the instant CP.

5. What cannot possibly be disputed here is that the respondent no. 1 has already passed a detailed order dated 04.11.2013 (Annexure CPR/2) in compliance of the order dated 21<sup>st</sup> August, 2013 passed by this Tribunal. Moreover, it is not a matter of dispute that the petitioners have already filed a substantive OA to challenge the order dated 04<sup>th</sup> November, 2013 passed by the respondent no. 1 as directed by this Bench in para 26 of its main order in OA. Therefore, the validity or otherwise of the order dated 04.11.2013 (Annexure CPR/2) cannot legally be decided in this CP particularly when the indicated order has already been challenged in the substantive OA filed by the petitioners. As indicated hereinabove, once the respondents have complied with the directions contained in the order dated 21<sup>st</sup> August 2013 of this Bench, so no further action is required to be taken in the matter.

6. In the light of the aforesaid reasons and without commenting further anything on merits lest it may prejudice the case of either side during the course of hearing of the substantive OA, as there is no merit, therefore, the Contempt Petition is hereby dismissed as such in the obtaining circumstances of the case. Therefore rule of Contempt Petition is discharged.



(MS. MEENAKSHI HOOJA)  
ADMINISTRATIVE MEMBER



(JUSTICE MEHINDER SINGH SULLAR)  
JUDICIAL MEMBER