

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL,

ALLAHABAD BENCH, ALLAHABAD

Allahabad, this the 30th day of August, 2018

Present:

Hon'ble Mr. Gokul Chandra Pati - AM
Hon'ble Mr. Rakesh Sagar Jain - JM

Contempt Petition No. 330/120/2017

In

Original Application No. 330/630 OF 2013

(U/S 19, Administrative Tribunals Act, 1985)

Rishi Narain Sharma, S/o Sri Ram Nath Rai, Presently posted as Superintendent of Police, Regional Intelligence Lucknow, 1, Gokhle Marg, Hajratganj, Lucknow Presently residing at 26, Police Officers Transit Hostel, Police Lines, Lucknow.

.....Applicant.

By Advocates – Shri A. K. Upadhyay

Shri Rakesh Pandey

V E R S U S

1. Rajiv Mehrishi, Home Secretary, Ministry of Home Affairs, North Block, Central Secretariat, New Delhi – 110001.
2. Sri B. P. Sharma, Secretary (Personnel), Ministry of Personnel, P.G. and Pensions Department of Personal & Training, North Block, New Delhi – 110001.
3. Sri T. Jacob, Secretary, Union Public Service Commission, Dholpur House, Shahjahan Road, New Delhi – 110069.
4. Sri Sulkhan Singh, Director General of Police, U. P., 1, Tilak Marg, 226001.
5. Sri Arvind Kumar, Principal Secretary, Home, U. P., Lal Bahadur Shashtri Bhawan (Annexe, Lucknow.

..... Respondents.

By Advocate : Shri D. S. Shukla for respondent No. 1

Shri D.K. Mishra for respondent No. 2

Shri A. N. Roy for respondent No. 3

Shri K. P. Singh for respondent No. 4 and 5

O R D E R

Delivered by Hon'ble Gokul Chandra Pati , J.M. :

Heard learned counsel for the parties. Learned counsel for the applicant has submitted that the order of the Tribunal has not been complied with properly, taking into account the law laid down by the Hon'ble Apex Court in the case of Sukhdev Singh Vs. Union of India and others reported in 2013 (9) SCC 566 as observed in the order dated 08.11.2016 in O.A NO. 630/2013.

2. Shri K. P. Singh, learned counsel for respondent Nos. 4 and 5 submitted that vide order dated 1st December 2017, Govt. of India, Ministry of Home Affairs has disposed of the representation of the applicant in terms of direction of this Tribunal.

3. Applicant's counsel is not satisfied with this submission. He submitted that the law laid down by Hon'ble Apex Court with regard to communication of ACR has not been considered in the order of 1th December 2017.

4. In view of these submissions we are of the view that the order dated 08.11.2016 has substantially been complied with by the Respondents.

5. In view of the above submissions the contempt petition is liable to be dismissed.

6. Accordingly, contempt petition is dismissed and notices issued to the respondents are discharged. However, if the applicant is aggrieved by the order dated 1st December 2017 he is at liberty to take appropriate measure as per law.

(Rakesh Sagar Jain)
Member - J

(Gokul Chandra Pati)
Member-A

/Shashi/