

**Central Administrative Tribunal
Principal Bench**

CP No. 157/2018 in
OA No.1858/2013

Order Reserved on: 14.03.2018
Order Pronounced on: 16.03.2018

***Hon'ble Mr. V. Ajay Kumar, Member (J)
Hon'ble Ms. Nita Chowdhury, Member (A)***

1. Hari Krishan, S/o Baljit Singh,
Language Instructor,
ITI/Nand Nagari Delhi,
R/o M-116 Naveen Shahadra, Delhi.
2. Pragya Sharma, W/o N.K. Sharma,
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3. Ms. Sapna, D/o Umesh Bahukhandi,
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ITI/H.J. Bhabha,
Khichripur Delhi,
R/o 138-C MIG Flat
Mayur Vihar Phase-III, Delhi.
4. Prem Lata, W/o Ranjit Singh,
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5. Prema Joshi,
W/o K.C. Joshi,
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R/o F-14/43 Model Town-II,
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6. Kavita Yadav,
W/o Kishan Kumar,
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R/o C/1 East Jyoti Nagar,
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7. Pinky Kapoor,
W/o Lalit Kapoor,
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8. Sangeeta Bhatia,
W/o Shailender Bhatia,
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9. Kamlesh Bhalla,
W/o Virender Kumar Bhalla,
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10. Chhaya Sharma,
W/o Sunil Kumar Sharma,
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R/o D-166 Gali No.6,
Laxmi Nagar, Delhi.
11. Anita S. Arya, W/o V.S. Arya,
Language Instructor, ITI/Srifort, Delhi
R/o 27, Type-III,
Meerabai Polytechnic, Maharani Bagh,
New Delhi
12. Lily Grace, W/o Kumud Ekke,
Language Instructor,
ITI/AKS, Nizamuddin, Delhi
R/o A-1/11, Phase-II,
Aya Nagar, New Delhi
13. Alka Sharma,
W/o Anil Kumar Sharma,
Language Instructor,
ITI/Mori Gate, Delhi,
R/o C-9/174, Sector-7,
Rohini, Delhi

- Petitioners

(By Advocates: Sh. Ajit Singh with Sh. Shashi Rajan)

Versus

1. Anshu Prakash,
Chief Secretary,
Govt. of NCT of Delhi,
Delhi Secretariat, IP Estate,
New Delhi-110002
2. Smt. Punya S. Srivastava,

Secretary,
Directorate of Training & Technical Education,
Munni Maya Ram Marg, Pitampura,
New Delhi-110034

- Respondents

ORDER

Ms. Nita Chowdhury, Member (A)

This Contempt Petition has been filed by the petitioners under Section 5 of the Contempt of Court (CAT) Rules, 1992 alleging that the respondents have not complied with the order given by this Tribunal in Original Application (OA) No. 1858/2013. The said OA was disposed of by an oral order dated 10.08.2017, with the following directions:-

“9. In the circumstances, the OA is disposed of with a direction to the Government of NCTD to take a final view on the claims of the applicants and to pass appropriate speaking and reasoned orders thereon, keeping in view their own recommendations made vide Memorandum dated 16.12.2011 (Annexure A/1), in accordance with law, within 90 days from the date of receipt of a certified copy of this order. No costs.”

2. It is the stand of the petitioners that the respondents have passed an order dated 28.11.2017 but this order is in violation of the directions passed by the Tribunal. It is the contention of the petitioners that the order passed by the respondents is contumacious in nature and it is, in fact, not a compliance of the order passed by the Tribunal in OA No. 1858/2013 and the petitioners have requested the Tribunal to proceed against the respondents in contempt.

3. We have examined the order dated 28.11.2017 which has been passed by the respondents in this matter. It is a comprehensive and detailed order which gives reasoning for the same.

4. In a Contempt Petition, we have only to see whether the directions issued by the court have been complied with or not and since the respondents have substantially complied with the directions issued by the Tribunal in OA No. 1858/2013 on 10.08.2017, we do not find that the respondents have

committed any contempt. Moreover, the Hon'ble Apex Court in **Lalith Mathur v. L. Maheswara Rao (2000) 10 SCC 285** has held that once the Court direction to consider the employee's representation was complied with and his representation was rejected on merit, the Contempt Petition is not maintainable. It is trite law that contempt jurisdiction is to be exercised sparingly and in very deserving cases only and not casually. Such a power is not intended to be exercised as a matter of course.

5. Thus, seen from any angle, no case for contempt is made out. Hence, CP is rejected at the admission stage itself. However, if any grievance still subsists, the petitioners are at liberty to approach this Tribunal in accordance with law, if so advised.

(**Nita Chowdhury**)
Member (A)

(**V. Ajay Kumar**)
Member (J)

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