

Central Administrative Tribunal Principal Bench, New Delhi

C.P.No.13/2014 in O.A.No.2463/2009

Friday, this the 17th day of November 2017

Hon'ble Mr. Justice Permod Kohli, Chairman
Hon'ble Mr. K.N. Shrivastava, Member (A)

2. Dr. Rita Sharma d/o Shri S S Mudgal
r/o Vill & PO Qutab Garh, Delhi 67
3. Shri Kripal Singh Baghel
s/o Shri Kanauji Lal Baghel
r/o 65, Pocket A, Sector 13
Dwarka, New Delhi – 78
4. Ms. Sangita Jain w/o Shri R K Jain
r/o 3473/1, Narang colony
Tri Nagar, Delhi-35
5. Ms. Dolly Kaur d/o Shri Sant Singh
698, UG-2, Shalimar Garden Extn
Shahibabad, Ghaziabad
6. Shri Jagdish Chandra Joshi
s/o Shri H C Joshi
r/o 100 Neemri Colony, New Delhi – 52
7. Shri Rajeev Kumar s/o Shri Devi Dayal Maurya
r/o E-17/F-3, Dilshad Colony, Delhi – 95
8. Shri Ambuj Kumar s/o Shri Ram Krishna
r/o A-10/5 A, DLF Ankur Vihar
Loni, Ghaziabad
9. Shri Anil Kumar s/o late Rattan Singh
r/o 170, Ground floor, Sector 10
Vasundhara, Ghaziabad

..Applicants

(Mr. Jatin Parashar for Mr. Ajesh Luthra and Mr. Bhunit Solanki for Mr. Rajesh Kumar, Advocates)

Versus

1. Shri Arun Goyal
Director Local Bodies/Secretary
Department of Urban Development
Govt. of NCT of Delhi
9th Level, C Wing
Delhi Secretariat, New Delhi-2

2. Shri Manish Gupta
Commissioner
South Delhi Municipal Corporation
4th Floor, Civic Centre, Minto Road
New Delhi-2
3. Shri P K Gupta
Commissioner
North Delhi Municipal Corporation
Desh Bandhu Gupta Road
Karol Bagh, Delhi
4. S. Kumar Swami
Commissioner
East Delhi Municipal Corporation
219, Udyog Sadan, Patparganj
Industrial Area, New Delhi – 69
5. Prof. D P Agrawal
Chairman
Union Public Service Commission
Dholpur house, Shahjahan road
New Delhi – 1
6. Sh. Deepak Mohan Spolia
Chief Secretary
Govt. of NCT of Delhi
5th Floor, Delhi Sachivalaya
New Delhi

..Respondents

(Ms. Neetu Mishra for Mrs. Rashmi Chopra, Advocate for respondent Nos. 1 & 6,
Mr. R N Singh and Mr. Amit Sinha, Advocates for respondent No.3,
Mr. Davik Singh for Mr. Naresh Kaushik, Advocate for respondent No.5 –
Nemo for other respondents)

O R D E R (ORAL)

Justice Permod Kohli:

These contempt proceedings have been set in motion for alleged non-compliance of order dated 28.01.2010 passed in O.A. No.2463/2009 with the following directions:-

“10. We dispose of this OA with a direction to the respondents to complete the process for amending the recruitment rules as per Govt. of India’s instructions, as suggested by 6th CPC, within a period of three months from the date of receipt of a copy of this order. It is also made clear that in future the recruitment rules and the quota prescribed both for direct recruit and promote shall be meticulously adhered to and should not be encroached upon inter-se by any of the

categories. It goes without saying that after the recruitment rules are amended the claim of the applicant on holding the year-wise vacancies shall be considered for promotion as per law on the subject. No costs.”

2. The respondents have earlier filed the affidavit dated 11.11.2016 stating therein that the recruitment rules have been amended and promotion granted to the applicants vide order dated 25.10.2016 in terms of the amended recruitment rules. This issue was considered by the Tribunal on 10.01.2017 and the contention of the respondents that the order has been complied with was accepted, except that the date of promotion has not been indicated, and for that purpose, respondents were granted time to file affidavit. In response to the directions of the Tribunal, the respondents filed affidavit on 01.03.2017. In paragraph 11 of the said affidavit, it is stated that the regular promotion granted to the applicants is prospective, i.e., with effect from the date of the order dated 25.10.2016. This satisfies the directions contained in the Tribunal’s order.

3. In view of this, contempt proceedings are hereby dropped. It is, however, observed that if the applicants have any grievance, they are at liberty to take remedial measures. Petition dismissed.

(K.N. Shrivastava)
Member (A)

(Justice Permod Kohli)
Chairman

November 17, 2017
/sunil/