

**Central Administrative Tribunal
Principal Bench, New Delhi.**

**CP-249/2017 in
OA-2232/2014**

New Delhi this the 03rd day of July, 2017.

Hon'ble Mr. Shekhar Agarwal, Member (A)

Hon'ble Mr. Raj Vir Sharma, Member (J)

1. All India Defence Civilian Clerks Association,
Of AOC & Record Offices through its General Secretary,
Shri K.C. Moudgil, Head Office: N-2/10A, Phase-1,
Budh Vihar, New Delhi-110086.

2. Tule Ram, S/o Sh. Sanwal Singh,
R/o 195 A, Near Piragarhi Metro Station,
Ekta Enclave, Delhi-87.

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Petitioners

(through Sh. U. Srivastava)

Versus

1. Sh. G. Mohan Kumar, Secretary,
MoD, GOI, South Block, New Delhi.

2. Sh. Sanjay Kothari, Secretary,
Department of Personnel and Training,
North Block-New Delhi-01.

3. Sh. Lt. Gen. Amit Sarin (AVSM, SM),
Director General of Ordnance Services,
MGO's Branch, IHQ of MoD (Army),
A Wingh, Sena Bhawan, New Delhi-11.

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Contemnors

(through Sh. Piyush Gaur)

ORDER (ORAL)

Mr. Shekhar Agarwal, Member (A)

The order of the Tribunal dated 20.02.2015 was challenged by the respondents before Hon'ble High Court of Delhi vide Writ Petition No. 10142/15.

The aforesaid Writ Petition was decided on 30.10.2015 by Hon'ble High Court.

The operative part of the order reads as follows:

"7. Mr. Srivastava, learned counsel for the respondent/Caveator submits that the respondents have been suffering for a long period of time and petitioners should be bound down and directed to comply the exercise in shortest possible time to mitigate their stagnation.

8. Accordingly, we dispose of this writ petition with the consent of the parties with following directions.

i) The petitioner No. 1/Ministry of Defence shall take all necessary steps for finalization of the Review Proposal of the Clerical cadre of AOC within a maximum period of one year from today.

ii) Since, the DoPT and Department of Legal Affairs are also petitioners before us, we direct them to ensure the compliance within four months thereafter.

iii) We expect that petitioners would sincerely comply with the order and stick to the schedule which has been fixed at their instance.

iv) A copy of this order will be brought to the notice of the DoPT and Department of Legal Affairs.

9. Writ petition is disposed of.

10. Copy of the order be given dasti, as prayed."

2. We notice that Hon'ble High Court has given fresh directions in this matter.

The petitioners are seeking enforcement of these directions through this CP.

Since, it is the order of the Hon'ble High Court enforcement of which is being sought, the contempt petition before this Tribunal is not maintainable.

3. Accordingly, the same is dismissed. The petitioner may approach Hon'ble High Court for enforcement of the directions given vide order dated 30.10.2015, if so advised.

(Raj Vir Sharma)
Member (J)

(Shekhar Agarwal)
Member (A)

/ns/

