

**Central Administrative Tribunal
Principal Bench**

**C.P. No. 251/2016 In
OA No. 4565/2014**

New Delhi this the 16th day of September, 2016

**Hon'ble Mr. Justice M. S. Sullar, Member (J)
Hon'ble Dr. B.K. Sinha, Member (A)**

Ms. Santosh,
D/o. Shri Veer Pal Singh,
R/o. L-756, Mangolpuri,
New Delhi-110 083
Age 28 years

... Petitioner

(By Advocate: Mr. Ajesh Luthra)

VERSUS

1. Kewal Kumar Sharma
Chief Secretary,
Government of NCT of Delhi,
Delhi Secretariat, IP Estate, Delhi.
 2. Sh. A. K. Garg
Secretary,
Delhi Subordinate Service Selection Board,
Government of NCT,
FC-18, Institutional Area,
Karkardooma, Delhi.
 3. Smt. Saumya Gupta,
Director
Directorate of Education,
Govt. of NCT of Delhi,
Room No. 214-A1
Old Secretariat, Delhi-54
- ...Respondents

(By Advocate: Ms. Neetu Mishra for Ms. Rashmi Chopra)

O R D E R (O R A L)

Justice M. S. Sullar, Member (J) :

As is evident from the record that while disposing of the Original Application (O.A) bearing No. 4565/2014, filed by the petitioner, Ms. Santosh, D/o. Shri Veer Pal Singh, the respondents were directed to process the candidature of the applicant against post code No. 07/13 in

accordance with the rules and instructions, within a period of three months from the date of receipt of a certified copy of the order, vide order dated 19.01.2016, by this Tribunal.

2. According to the petitioner, respondents have not complied with the direction of this Tribunal, which necessitated her to file the instant Contempt Petition (C.P.).

3. In the wake of notice, learned counsel for respondents appeared and filed the compliance report, by way of an affidavit, wherein it was stated that the case of the petitioner was duly considered and rejected in compliance of the order of this Tribunal, vide order dated 19.08.2016, by the respondents.

4. Meaning thereby, the respondents have substantially complied with the indicated directions of this Tribunal. So, no ground, much less cogent to initiate the C.P. is made out under Section 2 (b) of Section 12 of Contempt of Courts Act, 1971 read with Section 17 of the Administrative Tribunals Act, 1985.

5. Ex facie, the arguments of the learned counsel that the order dated 19.08.2016 allegedly passed in compliance with the order of this Tribunal, by the respondents is illegal, so action is required to be taken against the respondents under the provisions of the Contempt of Courts Act, is not legally tenable.

6. Be that as it may, indeed in any case, the validity or otherwise of the said order cannot be decided in the instant CP. In case the petitioner is aggrieved in any manner, she would be at liberty to challenge the validity of the order dated 19.08.2016 by filing an independent O.A, in accordance with law.

7. Therefore, the C.P. is hereby dismissed as such.

8. The Rule of Contempt is discharged. No costs.

(Dr. B. K. Sinha)
Member (A)

(Justice M. S. Sullar)
Member (J)
16.09.2016

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