

Central Administrative Tribunal Principal Bench, New Delhi

C.P. No.254/2016 in O.A.No.1667/2015

Order reserved on 23rd September 2016

Order pronounced on 7th October 2016

Hon'ble Mr. Raj Vir Sharma, Member (J)
Hon'ble Mr. K.N. Shrivastava, Member (A)

1. Sh. Surender Kumar Chaudhary,
S/o late Sh. P.L. Chaudhary,
R/o Qtr.No.46, Sector-8,
R.K. Puram, New Delhi-110022.
2. Sh. Veer Singh Kain,
S/o late Sh. Lal Ram,
R/o 404, DDA Flats, Pocket-10,
Sector-11, Rohini, Delhi-85.
3. Sh. Sunil Kumar Dikshit,
S/o late Sh. B.S. Dishit,
R/o H.No.383, Pocket-D,
Dilshad Garden,
Delhi-110095.
4. Sh. Mukesh Khare,
S/o late Sh. K.B. Khare,
R/o C-149, Pocket-7,
Kendriya Vihar, Sector-82,
Noida.
5. Sh. Vinod Kumar,
S/o late Sh. Rameshwar Dayal Gupta,
R/o D-87 (3rd Floor), Street No. 5,
Laxmi Nagar, Delhi-110092.
6. Sh. Shashi Kant Tripathi,
S/o Sh. Badan Singh Tripathi,
R/o D-502, M.S. Apartment,
K.G. Marg, New Delhi-110001.
7. Sh. Shyamal Dasgupta,
S/o late Sh. C.R. Dasgupta,
R/o D-4, Raj Height Appts.,
Plot No. C/24C, Shalimar Garden
(Ext.-2), Sahibabad.
8. Smt. Suneeta Khanna,
D/o Sh. D.D. Kumar,
R/o J-188, Sector-25,
Noida-201301.

9. Sh. Preminder Singh,
S/o Sh. Jagir Singh,
R/o A-716, 1st Floor,
Shastri Nagar, Delhi-110052.
10. Sh. Ravinder Kumar,
S/o Sh. Kartar Singh,
R/o A-7/62, Bhajan Pura,
Delhi-53.
11. Sh. Subhash Chand Jain,
S/o late Sh. Tara Chand Jain,
R/o 342, Sita Ram Appts. 102,
I.P. Ext., Patparganj,
Delhi-92.
12. Sh. Ravindra Kumar Tyagi, Retd.
S/o late Sh. Shiv Raj Tyagi,
R/o 169, New Arya Nagar,
Ghaziabad-201003.
13. Sh. Avtar Singh Dhiman,
S/o Sh. P.S. Dhiman,
R/o P-73B, Pandav Nagar,
Mayur Vihar-I,
Delhi-110091.
14. Sh. Ramvir Sharma,
S/o Late Sh. K.L Sharma,
R/o B-41, Pocket-I, Kendriya Vihar,
Sector-82, Noida.
15. Sh. Rajendra Pal Singh,
S/o late Sh. Hanumant Singh,
R/o 155, Type-4, Laxmibai Nagar,
New Delhi-110023.
16. Sh. Rajiv Kumar Mittal,
S/o Sh. Bhupinder Kumar Mittal,
R/o H.No. 29, Raj Nagar,
P.O. Shakur Basti, Pitampura,
Delhi-34.
17. Sh. Anil Kumar,
S/o Sh. S.K. Wadhawan,
R/o 457, Sector-8, Karnal-132001.
18. Ms. Raj Sharma,
D/o late Sh. N.C. Sharma,
A-30, Pandara Road, New Delhi.
19. Sh. Praveen Kumar,
S/o late Sh. J.P. Maheshwari,
R/o D-185, Govind Puri,
Ghaziabad.

20. Sh. Rakesh Kumar Sharma,
S/o late Sh. J.R. Sharma,
R/o Flat No. 92, Plot No.13,
Sector-18, Raj Vihar,
Delhi-78.
21. Smt. Meena Kain,
D/o late Sh. Swarna Singh,
R/o 404, DDA Flats, Pocket-10,
Sector-11, Rohini, Delhi-85.
22. Sh. Rajeev Arya,
S/o late Sh. Krishan Kumar,
R/o B-5/254, Sector-8,
Rohini, Delhi.
23. Smt. Renu Girdhar,
D/o late Sh. D.V. Arora,
R/o 26/21, West Patel Nagar,
New Delhi.
24. Smt. Sushma Ahluwalia,
D/o late Sh. R.N. Sharma,
R/o FU-6, Pitampura,
Delhi-88.
25. Sh. Kailash Kumar,
S/o Sh. Mukandi Lal,
R/o 72-D, Jhang Apptt. Sector-13,
Rohini, Delhi-85.
26. Sh. Bharat Bhushan Khanna,
S/o late Sh. Ahel Chand Khanna,
R/o H.No. 6, PKT No. B-5,
Sector-3, Rohini, Delhi-85.
27. Sh. Jagdish Chand Dabbas,
S/o Sh. Zile Singh,
R/o H.No. 578, VPO-Kanjhawala,
Delhi-81.
28. Sh. Prabhat Kumar Sinha,
S/o Sh. R.K. Sinha,
R/o 75-B, Jhang Apptt. Sector-13,
Rohini, Delhi-85.
29. Sh. Sunil Kumar Sharma,
S/o late Sh. Bharat Bhushan Sharma,
R/o 41-B, Rattan Nagar, Tripuri,
Patiala-147004.
30. Sh. Avinash Kumar,
S/o Sh. Edal Singh,
R/o H.No. 181, Type-IV, Sector-3,
R.K. Puram, New Delhi-110022.

31. Smt. Geeta Devi,
W/o Sh. N.N. Awasthi,
R/o C-160, Pocket-VII, Kendriya Vihar-II,
Sector-82, Noida(UP).
32. Sh. Raj Kishore Singh,
S/o late Sh. Vidya Nand Singh,
R/o A-302, Plot No.8,
Himachali CGHS Ltd.,
Sector-3, Dwarka,
New Delhi-110078.
33. Sh. Som Pal Singh Chauhan,
S/o late Sh. Jagan Singh,
R/o H.No. 528, Shakti Khand-IV,
Indira Puram, Ghaziabad.
34. Sh. Raj Kumar,
S/o late Sh. Chahu Lal Singh,
R/o D-4/16, Radio Colony,
Kingsway Camp, Delhi-110094.
35. Sh. Kuldeep Singh Gulia,
S/o late Sh. Balbir Singh,
R/o H.No. 1608, Sector-3,
Rohtak-124008.
36. Smt. Narinder Kaur,
D/o Sh. Jit Singh Badhan,
R/o Q.No.100, Type-IV,
North West Moti Bagh,
New Delhi-110023.
37. Smt. Shanti Devi,
D/o Sh. Giridhari Lal,
R/o H.No. 169, Vinoba Puri,
Lajpat Nagar-II,
New Delhi-110024.
38. Sh. Shree Pal Singh,
S/o late Sh. Tota Ram,
R/o M-1/3, Siksha Apartment,
Sector-6, Vasundhara, Ghaziabad(UP).
39. Sh. Amit Basu,
S/o late Sh. Nimai Ch Basu,
R/o D-983, DDA Flat Bindapur,
Pocket-3, Dwarka, New Delhi-110059.
40. Sh. Netai Chandra Adak,
S/o late Sh. Behari Lal Adak,
R/o Block-22, Q.No.1047,
Lodhi Colony, New Delhi-110003.
41. Sh. D.N. Pande,
S/o Sh. S.B. Pande,

R/o D-431, Pocket-3, Binda Pur,
DDA Flats, Dwarka,
New Delhi-110059.

42. Sh. S.P. Upadhyaya,
S/o Sh. V.P. Upadhyaya,
R/o E-203, Happy Home Apartment,
Plot No.12A, Sector-7, Dwarka,
New Delhi-110075.
43. Sh. Md. Nasim,
S/o late Sh. S.K. Sirajul Islam,
R/o D-11/3, Radio Colony,
Kingsway Camp,
Delhi-110094.
44. Sh. Vigyan Chandra Gupta,
S/o Sh. Satya Prakash Gupta,
R/o C-951, Sushant Lak-I,
Gurgaon-122009.
45. Sh. M.S. Chandel,
S/o late Sh. U.S. Chandel,
R/o 1/145, Rashmi Khand,
Sharda Nagar,
Lucknow-226002.
46. Sh. Om Prakash,
S/o late Sh. Shyam Lal,
R/o D-4, Doordarshan Staff Colony,
Vinay Khand-I, Gomti Nagar,
Lucknow.
47. Sh. Balbir Singh,
S/o Sh. Jodh Singh,
R/o D-9/8, Radio Colony,
Kingsway Camp,
Delhi-110 009.

..Applicants

(By Advocate : Dr. Ashwani Bhardwaj)

Versus

Ms. Supriya Sahu
The Director General
Doordarshan
Doordarshan Bhawan
Copernicus Marg,
New Delhi – 110 001

..Respondent

(By Advocate: Mr. S M Arif)

O R D E R

Mr. K.N. Shrivastava:

The petitioners have filed the instant C.P. under Section 14 of the Contempt of Courts Act, 1971 read with Rule 5 of Contempt of Courts (C.A.T.) Rules, 1992, stating therein that the respondents in the C.P., who are also respondents in O.A. No.1667/2015, have failed to comply with the order dated 05.05.2015 passed by this Tribunal in the said O.A., and as such they should be punished for the offence of disobedience and contempt of this Tribunal. In order dated 05.05.2015 passed in O.A. No.1667/2015, this Tribunal had directed the respondents as under:

“4. In view of the above position, we direct the respondents to consider the case of the applicants in the light of the aforesaid Orders of this Tribunal in OA No.1515/2015 (supra) and if their cases are covered by it, they shall also be given the same benefits. We also direct the respondents to pass appropriate orders in this regard within a period of one month from the date of receipt of a copy of this order. The Registry shall also send a copy of this OA to the respondents along with a copy of this Order. OA is accordingly disposed of. There shall be no order as to costs.”

2. When the case came up for hearing the parties on 23.09.2016, Mr. S.M. Arif, learned counsel for respondents submitted that the respondents have duly complied with the order dated 05.05.2015. In support of his contention, Mr. S.M. Arif submitted a copy of order No.8/19/2015-S.IV (B) /723 dated 16/20.09.2016 issued by the Director General, All India Radio and the same was taken on record. It is seen from the order of the Director General, All India Radio that after obtaining approval of the Government, they have issued the said order implementing the order of this Tribunal dated 05.05.2015.

3. Dr. Ashwani Bhardwaj, learned counsel for petitioners, however, submitted that the Tribunal in its order dated 05.05.2015 had directed the respondents to consider the case of the petitioners in the light of the orders of this Tribunal in O.A. No.1515/2015. It was further submitted that the said order was duly complied with by the respondents by way of Annexure-C order dated 13.12.2011. It was also submitted that condition (iii) of the order now passed by the Director General, All India Radio on 16/20.09.2016 puts a condition on the petitioners, which was not the case in the order dated 13.12.2011 of Director General, All India Radio. The learned counsel stated that the condition (iii) in the order dated 16/20.09.2016 must be withdrawn by the respondents.

4. We have perused the order dated 16/20.09.2016. The condition (iii) reads as under:

“(iii) As per directions of the Ministry of I&B vide letter No. 515/86/2015-BA-E dated 21/1/2006 (copy enclosed), the applicants in above OAs will submit an undertaking that they were not applicants in any court case relating to grant of ACP either pending or disposed of.”

We notice that this is an innocuous condition. It is only seeking some information from the petitioners, which would be useful to the internal administration of the respondents. We, therefore, feel that there cannot be any fundamental objection to such a condition.

5. Taking an overall view of the matter, we are satisfied that the order of this Tribunal dated 05.05.2015 in O.A. No.1667/2015 has been

substantively complied with by the respondents. As such, the C.P. is closed.

Notices issued to the respondents are discharged. No costs.

(K.N. Shrivastava)
Member (A)

(Raj Vir Sharma)
Member (J)

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