

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

**CP-91/2014  
MA-976/2016  
MA-3227/2015  
OA-3529/2011**

**Reserved on : 08.08.2016.**

**Pronounced on : 09.08.2016.**

**Hon'ble Mr. Shekhar Agarwal, Member (A)  
Hon'ble Mr. Raj Vir Sharma, Member (J)**

Smt. Sangeetha S. Nair,  
Dancer,  
Song & Drama Division,  
Ministry of Information and Broad Casting,  
Soochna Bhawan,  
Lodhi Road Complex,  
New Delhi-110 003. .... Petitioner

(through Sh. S.N. Kaul, Advocate)

Versus

Sh. M. Rajamannar,  
Director,  
The Song & Drama Division,  
Ministry of Information & Broadcasting,  
Soochna Bhawan,  
Lodhi Road Complex,  
New Delhi-110 003. .... Respondent

(through Sh. S.M. Arif, Advocate)

**ORDER**

**Mr. Shekhar Agarwal, Member (A)**

**MA-3227/2015**

This M.A. has been filed by the applicant to produce original records of two departmental proceedings conducted against

respondents No. 3 & 4. In our opinion, it is not necessary to summon the entire record of disciplinary proceedings in Contempt Petition. We, therefore, dismiss this MA.

### **MA-976/2016**

2. This M.A. has been filed with the following prayer:-

“To take all the above mentioned facts and documents on record of C.P. No.91/2014 of OA No. 3529/2011.”

3. In our opinion, it is not necessary in Contempt Petition to go into the manner in which decision has been taken in disciplinary proceedings by the respondents. The applicant if aggrieved is at liberty to challenge the same through appropriate judicial proceedings. Therefore, this M.A. is dismissed.

### **CP-91/2014**

4. This Contempt Petitioner has been filed for alleged non-compliance of our order dated 15.05.2013, the operative part of which reads as under:-

“27. In the above facts and circumstances of this case, we partly allow this OA to the extent of 2nd relief prayed for in this OA. Consequently, we quash and set aside the impugned order dated 22.12.2010 insofar as it drops the proceedings against the private respondents No.3 and 4 when the allegation against them that they do not possess the requisite qualification as required under the Recruitment Rules to hold the post of Dancer has not been disproved through a regularly conducted departmental proceedings. We, therefore, direct the official respondents to continue with the disciplinary proceedings initiated against them from the stage of issuing the memorandum dated 10.12.2008 proposing to initiate disciplinary proceedings against them in terms of Rule 14 of the CCS (CCA) Rules, 1965. As the charges against them are more than 4 years old, it is in their own interest, the interest of the

official respondents and in the interest of all concerned including the Applicant, the proceedings be completed as expeditiously as possible preferably within 6 months from the date of receipt of a copy of this order. Other reliefs sought in this OA are dependent on the result of the disciplinary proceedings against Respondents No.3 and 4 now ordered to be continued against them. As regards Respondents No.4 to 8 are concerned, as the Applicant has not sought any reliefs against them, no directions are required to be given.

28. There shall be no order as to costs."

5. Today, when this matter was taken up, learned counsel for the respondents produced copies of their orders dated 23.07.2015 passed in the disciplinary proceedings initiated against Smt. Urmila Srivastava and Smt. Pushpa Mandal by which both these employees have been exonerated.

6. Learned counsel for the respondents submitted that after passing of the order in question by this Tribunal, the respondents not only continued the disciplinary proceedings against the private respondents No.3 and 4 in OA but have now taken final decision in the same. Thus, the order of this Tribunal has been fully complied with.

7. Learned counsel for the petitioner, however, argued that this Tribunal had earlier quashed dropping of the disciplinary proceedings against private respondents No.3 & 4 and had directed the official respondents to resume these proceedings and complete them within six months. By now dropping these proceedings again

the respondents have reverted back to the same position, which existed prior to passing of the order of the Tribunal.

8. We have heard both sides and have perused the material placed on record. The directions of this Tribunal were to resume the proceedings and complete the same within six months. Accordingly, the respondents continued the proceedings and have now passed fresh orders by which they have exonerated the respondents No.3 & 4. Whether these orders are right or wrong may be a matter of adjudication but is certainly not a matter of contempt. If the petitioner is aggrieved by these orders, she is at liberty to challenge the same by means of appropriate judicial proceedings.

9. After perusal of these orders, we are satisfied that our order dated 15.05.2013 has been substantially complied with. Accordingly, this Contempt Petition is closed. Notice issued to the alleged contemnor is discharged.

**(Raj Vir Sharma)**  
**Member (J)**

**(Shekhar Agarwal)**  
**Member (A)**

/Vinita/