

**Central Administrative Tribunal  
Principal Bench**

**C.P. No. 132/2016  
O.A. No. 428/2012**

New Delhi this the 05<sup>th</sup> day of April, 2017

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

Shri Palak Dhari Yadav  
S/o Shri Ram Deo Yadav  
R/o House No. A/74, Jaggi Wali Gali,  
Amritpuri (Garhi), Near A-Block Market,  
East of Kailash, New Delhi -110065

....Petitioner

(By Advocate: Jay Kishor Singh )

Vs.

1. The Commissioner (Mr. Santosh Kumar Mall)  
Kendriya Vidyalaya Sangathan  
18-Institutional Area, Shaheed Jeet Singh Marg,  
New Delhi-110016.
2. The Joint Assistant Commissioner (Admn and Vig) (Formerly)  
Now Additional Commissioner (Admn)  
Mr. G.K. Shrivastava  
Kendriya Vidyalaya Sangathan,  
18-Institutional Area, Shaheed Jeet Singh Marg,  
New Delhi-110016.
3. The Assistant Commissioner (Formely)  
Now Deputy Commissioner  
Mr/Mrs. Santosh Mirdha  
Kendriya Vidyalaya Sangathan,  
Delhi Region, J.N.U. Campus  
New Mehrauli Road,  
New Delhi-110067.

.. Respondents

(By Advocate: Mr. S Rajappa )

**ORDER (ORAL)**

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

This CP has been filed for alleged non compliance of our order dated 19.11.2014, the operative part of which reads as follows:-

11. Accordingly, we allow this OA and quash the inquiry report as well as orders of the Disciplinary Authority dated 21.10.2009 and the Appellate Authority dated 22.12.2011. The pay of the applicant shall be restored with all consequential benefits of pay fixation and payment of arrears. In the normal course, we would have given liberty to the respondents to hold inquiry afresh against the applicant. However, in this case we notice that the incident pertains to 1983 and even in his report dated 10.2.2006, the inquiry officer had observed that witnesses were not traceable. Hence, in our opinion no useful purpose would be served by giving such liberty to the respondents. There shall be no order as to costs."

2. It was agreed upon by the parties that the respondents have extended the benefits of restoration of applicant's pay, pay fixation and payment of arrears to the petitioner. Learned counsel for the petitioner, however, submitted that further consequential benefits of promotion and Sr. scale have still not been granted to him by the respondents.

3. We are satisfied that so far our order is concerned, the same has been substantially complied with. Accordingly, this C.P. is closed. Notices issued to the alleged contemnors are discharged. The petitioner may seek remedy under law for surviving grievances.

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

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

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