

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

**CP-522/2014 in
OA-2036/2013**

Reserved on : 27.02.2017.

Pronounced on : 01.03.2017.

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

Sh. Shrawan Kumar Kaushik,
S/o Sh. Satya Dev Kaushik,
Age : 34 years,
R/o TF-31, Siddha Vinayak Apartment,
Abhay Khand-III, Indirapuram,
Ghaziabad-201010
Working as Technical Officer (Diary Development),
Ministry of Agriculture,
Department of Animal Husbandry,
Dairying & Fisheries, Krishi Bhawan,
New Delhi-110001.

.... Petitioner

(through Sh. R.N. Singh, Advocate)

Versus

1. Union of India,
Ministry of Agriculture,
Department of Animal Husbandry,
Dairying & Fisheries, Krishi Bhawan,
New Delhi-110001.
(Through: The Secretary)

2. Union Public Service Commission,
Dholpur House, Shahjahan Road,
New Delhi-110003.
(through : The Secretary)

.... Respondents

(through Sh. Amit Anand, Advocate)

O R D E R

Mr. Shekhar Agarwal, Member (A)

This Contempt Petition has been filed for alleged disobedience of the order dated 14.06.2013, the operative part of which reads as follows:-

“In view of the above, we issue notice to the respondents both on admission as well as interim relief, returnable within four weeks.

Shri Rajinder Nischal appears and accepts notice on behalf of the respondents. He seeks short accommodation to take instructions from the department and to file short affidavit in this regard.

List the case on 3.7.2013 for consideration of interim relief.

In the meantime, status-quo of the applicants shall be maintained. Further, if any selection is made by the respondents as per the advertisement dated 11-17 May, 2013, it will be subject to the outcome of this OA.”

2. Learned counsel for the petitioner submitted that the respondents have committed contempt as they have vide their order dated 04.08.2014 reverted Sh. S.K. Kaushik, petitioner herein, to the post of Technical Officer (Dairy Development) w.e.f. the forenoon of 22.08.2014. He stated that this order was violative of the interim relief granted to the petitioners in this O.A.

3. Learned counsel for the respondents, on the other hand, argued that the status quo granted to the applicants was valid only till the next date of hearing i.e. upto 03.07.2013. Thereafter, this order

was never extended. As such, no contempt has been committed by the respondents by passing of the order dated 04.08.2014.

4. Learned counsel for the petitioner relied on the judgment of Hon'ble High Court of Judicature at Hyderabad in the case of **Naveeti Mahalakshmi & Ors. Vs. State of A.P. & Ors.**, (WP No. 24052/2016) dated 03.08.2016 in which the following has been observed:-

“ At the cost of repetition, I make it clear that if the Court grants an interim order in the first instance for a limited period, and simultaneously directs the matter be listed after a few weeks or after a certain date, then the interim orders granted earlier shall continue to remain in force till the matter is listed before the Court or till a specific order vacating the earlier interim orders is passed by the Court.”

5. On perusal of the judgment relied upon, we find that Hon'ble High Court of Judicature at Hyderabad has also held that the interim orders granted earlier to remain in force only till the matter is listed before the Court or till a specific order vacating the earlier interim orders is passed by the Court. In this case, we notice that after 14.06.2013, the date on which this order was passed, this case was listed several times before this Tribunal starting from 03.07.2013 but the interim order was never extended. Further, we notice from the language of the order that the case was listed for consideration of interim relief on 03.07.2013. In the meantime, it was ordered that status quo with regard to the petitioner shall be maintained. Thus, from a mere reading of the order, it is clear that the status quo was

meant to operate only till the next date of hearing i.e. 03.07.2013. Since the status quo was not extended after that date, the respondents were at liberty to pass reversion order of the petitioner.

6. In view of the aforesaid, we are of the opinion that no contempt is made out in this case. Accordingly, this Contempt Petition is closed. Notices issued to the alleged contemnors are discharged.

(Raj Vir Sharma)
Member (J)

(Shekhar Agarwal)
Member (A)

/Vinita/

