

Central Administrative Tribunal
Principal Bench
New Delhi

C.P.No.539/2013
in
O.A.No.3092/2012

Order Reserved on: 21.04.2016
Order pronounced on 25.04.2016

Hon'ble Shri V. Ajay Kumar, Member (J)
Hon'ble Dr. B.K.Sinha, Member (A)

Sh. R.S.Yadav
S/o Sh. J.S.Yadav
R/o 4418, Ahiran Street
Pahari Dhiraj
Delhi – 110 006. ... Applicant

(By Advocate: Mr. Ajesh Luthra)

Versus

1. Shri P.K.Gupta
Commissioner
North Delhi Municipal Corporation & Others through
4th Floor, Civic Centre, Minto Road
New Delhi – 110 002.
2. Sh. Manish Gupta
Commissioner
South Delhi Municipal Corporation
9th Floor, Civic Centre, Minto Road
New Delhi – 110 002.
3. Shri S.Kumaraswamy
Commissioner
East Delhi Municipal Corporation
219, Udyog Sadan, Patparganj Ind. Area, Delhi.

4. Dr. D.P.Aggarwal
The Chairman
Union Public Service Commission
Dholpur House, Shahjahan Road
New Delhi – 110 069.

5. Shri R.K.Srivastava
Director of Local Bodies
Department of Urban Development
Govt. of NCT of Delhi
9th Level, `C'Wing
Delhi Secretariat
New Delhi – 110 002. ... Respondents/Contemnors

(By Advocate: Shri R.N.Singh, Mr. Ravinder Aggarwal and Ms. Nitu Mishra for Ms. Rashmi Chopra)

ORDER

By V. Ajay Kumar, Member (J):

Heard both sides.

2. The OA No.3092/2012 was disposed of by this Tribunal on 25.09.2012 as under:

"4. It is made clear that so far as the claim of promotion is concerned, we have not expressed any opinion, and it is for the 1st respondent to decide the aforesaid representation dated 23.5.2012 by a reasoned order. In the event, the applicant is not found suitable or fit for any reason whatsoever may be, the same may be recorded in the order and communicated to the applicant within the aforesaid period.

5. At this stage, it is pointed out by the learned counsel for the applicant that now the appropriate authority, in respect of deciding the claim of the applicant, is Director of Local Bodies i.e. respondent No.5. We, therefore, provide that in the event the applicant produces a certified copy of this order along with copy of the representation containing in Annexure A/1 to the Director of Local Bodies, he shall consider the same in the light of our directions above within the aforesaid period.

Process DASTI."

3. Alleging non-implementation of the aforesaid orders, the applicant in the OA filed the present Contempt Petition.

4. Shri R.N.Singh, the learned counsel for the respondents while producing an Office Order dated 18.04.2016, whereunder the applicant was promoted to the post of Municipal Prosecutor/Deputy Law Officer along with others, w.e.f. 04.03.2016 subject to outcome of WP(C) No.10126 of 2015 titled as **Surender Kumar v. North DMC & Others**, submitted that in view of the pendency of the connected cases before this Tribunal and of the other Courts, and the interim orders passed thereunder, the respondents could not pass the orders on 18.04.2016 only. He further submitted that the delay in complying with the orders of this Tribunal is neither wilful nor wanton but for the aforesaid reasons.

5. After perusing the orders passed by this Tribunal and the Hon'ble High Court in the connected matters, and in view of the compliance of the orders of this Tribunal, we do not see any merit in the CP and accordingly, the CP is closed. Notices are discharged. However, if the applicant is still having any grievance against the orders now passed by the respondents, he may avail his remedies in accordance with law. No costs.

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

(V. Ajay Kumar)
Member (J)

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