

**Central Administrative Tribunal
Principal Bench**

**CP No.579/2017 IN
OA No.4061/2011**

New Delhi, this the 4th day of September, 2017

**Hon'ble Mr. Justice Permod Kohli, Chairman
Hon'ble Mr. Uday Kumar Varma, Member (A)**

1. Brij Pal Singh Dagar (CL No.3213),
S/o Late Shri Ram Chander,
R/o C-31, Gali No.1, C-Block,
Khajoori Colony, Delhi-110094.
2. Kavita Sobti (CL No.3264),
W/o Shri Ashok Sobti
R/o, F-3/17, Ground Floor
Sector No.11, Rohini, Delhi – 110 032.
3. Sushma Rani (CL No.3326),
W/o Shri Ashok Kumar,
R/o 21-B, Nav Yug Adarsh Apptt.,
Vikas Puri, New Delhi-110018.
4. Suresh Kumar Chaudhary (CL No.3242),
S/o Late Shri Arjun Ram, R/o WZ-288, Street No.8,
Sadh Nagar, Palam Colony,
New Delhi-110045.
5. Rajesh Gupta (CL No. 3606),
S/o Shri K.L. Gupta, R/o 21, Jaina Building,
Roshnara Road, Delhi-110007
6. Smt. Kamla Vaswani (CL No.3305),
D/o Shri Narain Dass, R/o MU-36-D, LIG Flats,
Pitampura, Delhi-110034.
7. Partap Singh (CL No.3200),
S/o Late Shri Bhagwan Singh,
R/o A-7/2, Peshwa Road Apartments,
Gole Market, New Delhi-110001

8. Narender Singh (CL No.3620),
S/o Late Shr Chohal Singh,
R/o RZ-C-93, Dabri Extn. East,
New Delhi-110045
9. Jai Kishan (CL No.3307), S/o Late Shri S.L. Sharma,
R/o House No.19, Pocket-3,
Sector-11, Dwarka, New Delhi-110075.
10. Late M.D. Vats (CL No.3448),
S/o Late Shri R.D. Sharma,
Through Legal Heir
Smt. Shastri Vats aged 60 years
R/o E-178-179, Pandav Nagar,
Delhi-110091
11. Mrs. Parveen Madaan (CL No.3256),
W/o Shri M.L. Madaan,
R/o 74A, Indra Park, Chander Nagar,
Krishna Nagar, Delhi-110051.
12. Narender Kumar Giri (CL No.03529),
S/o Late Shri B.P. Giri,
R/o 87-G, Pocket-IV,
Mayur Vihar, Delhi-110091.
13. Anil Kumar Sharma (CL No.3317),
S/o Late Shri M.G. Shama, R/o H.No.106, J-Extn.,
Laxmi Nagar, Delhi-110092.
14. Mrs. Parween Madan (CL No.3110),
D/o Late Shri Amar Nath Kohli,
R/o C-2/172, Janakpuri,
Near Central School, New Delhi-110058.
15. Mrs. Prem Lata (CL No.3367),
W/o Shri Harans Lal, C-11, Hazara Park,
Shiv Puri, Delhi-110051.
16. Sanyogita (CL No.2938), W/o Shri V.K. Sardana,
R/o Q-71, Sector-12, Noida, U.P.
17. Kamlesh Mendiratta (CL No.3304),
S/o Shri Dharam Chand Wadhwa,
R/o H-31B, 1st Floor,
Kalkaji, New Delhi-110019.

18. Ms. C. Rakha Sharma (CL No.2964),
W/o Shri Rakesh Kumar Sharma,
R/o 339, Mandakini Enclave,
Alaknanda, New Delhi-110019.
19. Santosh Kumar (CL No.3505),
S/o Shri Ram Murti, R/o 1220, Chah Rahat,
Dariba, Delhi-110006.
20. Lalita Chinda (CL No.3661),
W/o Shri Suraj Chinda, R/o 27/59, 2nd Floor,
Old Rajinder Nagar, New Delhi-110060.
21. Smt. Bimla Thirwani (CL No.3336),
W/o Shri P.K. Thirwani, R/o 348E, Pocket-II,
Mayur Vihar-I, Delhi-110091.
22. Smt. Manju Bala (CL No.3656),
W/o Shri R.L. Dhall, R/o B-1/22, New Moti Nagar,
New Delhi-110015.
23. Smt. Surinder Kaur (CL No.3496),
W/o Late Shri Man Mohan Singh,
R/o 33/5, Ashok Nagar, New Delhi-110018.
24. Smt. Shanta Marwah (CL No.3381),
W/o Shri Mohinder Kumar Marwah,
R/o B-307, Pragati Sheel Apartment
Plot No.5-C, Dwarka, Delhi-110075.
25. Ravinderjit Singh (CL No.03241),
S/o Late Shri Jardev Singh,
R/o WZ-195, A/63, Hari Nagar,
New Delhi-110064.
26. Sugan Chand (CL No.3603),
S/o Mani Ram, R/o 60, Jwala Heri,
New Delhi-110063.
27. Meena Kumari Sharma (CL No.3662),
D/o Late Shri Lachhamn Dass,
R/o 1-3669, Ram Nagar, P.O. Wali Gali, Shahdara,
Delhi-110032.
28. Raj Kumar (CL No.03548),
S/o Shri Gurdita Ram, R/o 68/10, Ashok Nagar,
New Delhi-110018.

29. Chatter Singh Nirwal (CL No.03386),
S/o Late Shri Bhim Singh,
R/o QZ-701/3, Naraina Village,
New Delhi-110028.
30. Anita Rani Chopra (CL No.2975),
D/o Late Shri O.P. Kapoor,
R/o 36-D, Navyug Apartment,
F-Block, Vikaspuri, New Delhi-110018.
31. R.K. Seth (CL No.3608),
S/o Late Shri L.R. Sethi,
R/o B-8/2, Double Storey,
Ramesh Nagar, New Delhi-110015.
32. Mrs. Kamal Kanta Sharma (CL No.03232),
W/o Shri Hira Lal, R/o 5A/10, Tilak Nagar,
New Delhi-110018.
33. Ashok Kumar Chopra (CL No.03294),
S/o Late Shri O.P. Chopra,
R/o 62/14, 1st Floor, Ashok Nagar,
Tilak Nagar, New Delhi-110018.
34. Babu Lal (CL No.3965), S/o Shri Sheo Chand,
R/o H.No. RZ-39/2, Indira Park,
New Delhi-110045.
35. Vinod Kumar Ahuja (CL No.3650),
S/o Late Shri Dina Nath Ahuja,
R/o 57, Vidhi Apartments,
Plot No.116, Patparganj, Delhi-110092.
36. Devki Nandan Sharma,
S/o Shri Doonger Mal,
R/o C-6/457, Yamuna Vihar,
Delhi-110053.
37. Charan Singh (CL No.3374),
S/o Late Shri Deep Chand,
R/o 43-C, Gali No.5,
Bank Colony, Delhi-110053.
38. Shiv Nath Singh (CL No.3685),
S/o Late Shri Mam Chand,
R/o Village Basant Pur Saintly,
P.O. Murad Nagar,
Distt. Ghaziabad, U.P.

39. Rama Kant Sharma (CL No.3614),
S/o Shri Hira Lal Sharma,
R/o D-11, Gali No.8, Ashok Mohalla,
Maujpur, Delhi-110053.
40. Gagan Behari (CL No.3547),
S/o Shri Ragher Dayal,
R/o 51/5, Shiv Mandir Gali,
Moujpur, Delhi-110053.
41. Smt. Saroj Sekhri (CL No.2974),
W/o Shri Rajendra Pal,
R/o 816-B, Radhika Apartments-II,
Shalimar Garden Extn.-I,
Shahibabad, Ghaziabad, U.P.
42. Smt. Sunita Rani (CL No.3665),
W/o Shri R.K. Panchal,
R/o 5-D, DDA MIG Flats,
B-Block, Vivek Vihar, Phase-II,
Delhi-110095.
43. Smt. Maina Kapoor (CL No.3684),
W/o Shri Radha Krishan Kapoor,
R/o House No.218, Gali No.10,
Gurudwara Road, West Guru Angad Nagar,
Delhi-110092.
44. Smt. Shanti Rawat (CL No.3584),
W/o Shri Puran Singh Rawat,
R/o D-315, West Vinod Nagar,
Delhi-110092.
45. Narinder Kumar Bhatia (CL No.3607),
S/o Late Shri H.G. Bhatia,
R/o WZ-2053, Rani Bagh,
Delhi-110034.
46. Suresh Kumar Mudgal (CL No.3210),
S/o Late Shri Sunder Lal,
R/o H-2/69, 2nd Floor,
Sector-16, Rohini, Delhi-110085.
47. V.P. Bhardwaj (CL No.03441 Old),
S/o Shri J.L. Sharma (GO-89875 New),
R/o A-49, Welcome Apartment,
Sector-9, Rohini, Delhi-110085.

48. Kuljit Kaur Bakshi (CL No.03320),
S/o Shri G.S. Mokha,
R/o H.No. 338D, Pocket-J&K,
Dilshad Garden, Delhi-110095.
49. M.D. Joshi (CL No.3035),
S/o Shri D.N. Joshi,
R/o Flat No.70D, Pocket-B,
Dilshad Garden, Delhi-110095.
50. Pushp Lata (CL No.03151),
D/o Late Shri Hotu Ram,
R/o X-1219, Rajgarh Colony,
Satsang Marg, Gandhi Nagar,
Delhi-110031.
51. Smt. Dinesh Kumar (CL No.3134),
W/o Shri V.K. Bhatnagar,
R/o 20/201-202, Opp. DDA Janta Flats,
J.J. Colony, Dakshin Puri,
New Delhi-110062.
52. Vijay Kumar (CL No.3142),
S/o Late Shri G.R. Sardana,
R/o Q-71, Sector-12,
Noida (U.P.)-201301.
53. Pushpa Girdhar (CL No.3430),
S/o Late Shri Kishan Chand Chaudhary,
R/o 132, Gagan Vihar Main,
Delhi-110051.
54. Archanan Saini (CL No.3271),
D/o Late Shri Babu Ram,
R/o C-235, Hari Nagar,
Clock Tower, New Delhi. .. Petitioners

(By Advocate : Shri Soumo Palit)

Versus

1. Aruna Sundararajan
Chairman & Secretary (I.T.)
Ministry of Posts & Telecommunications
Government of India
New Delhi – 110 001.

2. P.K. Purwar
The Chairman and Managing Director
Mahanagar Telephone Nigam Limited
Sanchar Bhawan
New Delhi – 110 001.

3. S.P.Rai
Executive Director
MTNL, Khursid Lal Bhawan
New Delhi – 110 050.

.. Respondents

ORDER (ORAL)

Justice Permod Kohli :-

This Petition has been filed invoking contempt jurisdiction of this Tribunal on the basis of observations made by this Tribunal in its order dated 02.09.2011 passed in OA No.4061/2011. The OA filed by the applicant was dismissed on the ground of limitation. However, while dismissing the OA, the Hon'ble Tribunal made following observations:-

“15.we feel the respondents should examine the case of the applicants in the light of our above observations and a careful reading of the judgment of the Hon'ble Supreme Court in **Leelamma Joseph's** case. While doing so, they will, however, examine the case of each applicant separately whether they were actually senior to the persons promoted to Grade III under the BCR Scheme. No order as to costs.”

2. The above observations are not in the nature of *mandamus* or a positive direction so as to create a right in favour of the applicant. It was mere an observation which, this Tribunal thought, should be made. We are of the opinion that

this is not a case where the contempt jurisdiction is to be invoked. The Contempt Petition is hereby dismissed.

(Uday Kumar Varma)
Member(A)

(Justice Permod Kohli)
Chairman

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