

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI**

**C.P. No.581/2017 In
M.A. No.3214/2016 In
O.A No.1462/2016**

**Reserved On:26.09.2017
Pronounced on:28.9.2017**

**Hon'ble Mr. V. Ajay Kumar, Member (J)
Hon'ble Ms. Nita Chowdhury, Member (A)**

Rakesh Kumar Gupta([VH]) EMP. ID 19900636
Vice Principal under suspension by Order of
Chief Secretary GNCT Delhi Dated 08.05.2017
and compliance of Hon'ble Tribunal's Order
Dated 02.06.2017 in OA No. 2061/2017
by same authority is pending)
GBSSS (1106011), New Seemapuri, Delhi.

S/o : Lae Shri Kanhaiya Lal Gupta. Age: 52 years old.
Department: DOE GNCTD, Employee Group: "A".
R/o : 30/LG-1, Teachers Apartment, Block-A,
Dilshad Colony, Delhi-110095. ... Petitioner

(In Person)

Versus

1. Dr. Veena Rani Singh (Then DDE Zone VI & she intentionally made non-compliance towards Hon'ble Tribunal by filing Reply in present OA before either redressing all annexed petitioner's Email Representations or submitting reply in MA No. 3214/2016) through Smt. Neeraj (present DDE Zone VI),
O/o DDE Zone VI GNCT Delhi, C-Block,
Dilshad Garden, Delhi-110095.
2. Smt. Neeraj (present DDE Zone VI [Who is presently available by replacing Dr. Veena Rani Singh),
O/o DDE Zone VI GNCT Delhi, C-Block,
Dilshad Garden, Delhi-110095.

3. Shri Parveen Kumar (Vice Principal, present HOS & DDO),
O/o GBSSS (School ID 1106011),
New Seemapuri, Delhi-110095. ... Respondents

ORDER

Hon'ble Ms. Nita Chowdhury, Member (A)

This Contempt Petition (CP) has been filed by the petitioner, who is a visually handicapped person alleging disobedience of the order passed by the Tribunal in MA No.3214/2016 in OA No.1462/2016 on 27.10.2016. The order reads as under:-

“Heard learned counsel for the applicant.

Issue notice to the respondents in MA No.3214/2016.

List on 04.11.2016”.

2. The petitioner has prayed in this CP that MA No.3214/2016 be allowed and respondents be directed to pay cost and compensation of the present litigation. The respondents served the reply in OA on 1.3.2017 without submitting the reply in MA and even though without properly redressing his grievances. Petitioner has further submitted that all the respondents have intentionally ignored the directions passed by this Tribunal on 27.10.2016, so they are liable to be punished under the Contempt of Court Act, 1971. Hence, he has prayed that the CP be allowed.

4. Heard the petitioner, who appeared in person.

5. In a Contempt Petition, we have only to see whether the directions issued by the court have been complied with or not. Since only notice

was issued on 27.10.2016, which has been complied with by the respondents, so they have not committed any contempt. Further, it may also be mentioned that OA is still pending which is coming up for hearing on 06.10.2017, so petitioner would be at liberty to agitate his grievance at the time of arguments in the OA. Moreover, the Hon'ble Apex Court in **Lalith Mathur v. L. Maheswara Rao (2000) 10 SCC 285** has held that "once the Court direction to consider the employee's representation was complied with and his representation was rejected on merits, contempt petition would not be maintainable".

6. Thus, seen from any angle, no case for issuing notice in CP is made out. Hence, CP is rejected.

(NITA CHOWDHURY)
MEMBER (A)

(V. AJAY KUMAR)
MEMBER (J)

Rakesh