

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

C.P. No. 590/2015
O.A. No. 859/2013

New Delhi, this the 18th day of November, 2016.

HON'BLE MR. JUSTICE M.S. SULLAR, MEMBER (J)
HON'BLE MR. P.K. BASU, MEMBER (A)

No. 6968243, Umar Farooque
S/o Md. Alauddin,
Working as Pharmacist in the
CVD-Delhi Cantt – 110 010.

....Petitioner

(By Advocate : Shri A.K. Trivedi)

Versus

Lt. Gen Amit Sareen
Director General of Ordnance Services
(OS-8C(II), Master General Ord. Branch,
Integrated HQ of MoD (Army)
DHQ, PO, New Delhi-110 011.

....Respondent

(By Advocate : Shri Hilal Haider)

O R D E R (ORAL)

Justice M.S. Sullar, Member (J)

As is evident from the record that the Original Application (OA) bearing No.859/2013, filed by the petitioner Shri Umar Farooque, was disposed of vide order dated 26.02.2015 (Annexure CP-1) by this Tribunal. The operative part of the order reads as under:

“6. In my considered view the Applicants' cases have been rejected by the Respondents without examining their case in an appropriate manner. In the impugned letter dated 2.2.2008, the Director General of Ordnance Services only says that the conditions stipulated in Ministry of Health and Family Welfares letter dated 4.2.2004 seem to be not fulfilled. In other words,

they have not properly examined whether those condition have been fulfilled or not. I, therefore, direct the respondent-Director General of Ordnance of Services to re-examine the Applicants case in the light of the letter of the Ministry of Health and Family Welfare dated 4.2.2004, letter of the Ministry of Defence dated 17.11.2005 and the detailed justification given by the Commandant Central Vehicle Depot vide his letters dated 16.5.2006 and 15.9.2006 and to pass reasoned and speaking order under intimation to them individually within a period of two months from the date of receipt of a copy of this order. If they are still aggrieved by the decision of the Respondents, they will have the liberty to challenge the same before this Tribunal through filing separate Original Applications.”

2. According to the petitioner, the respondent has not complied with the directions contained in the order of this Tribunal, which necessitated him to file the instant Contempt Petition (CP).

3. In the wake of notice, learned counsel for the respondent appeared and submitted the compliance report by way of affidavit, wherein it was depicted that the respondent has considered the case of the petitioner and complied with the indicated directions of this Tribunal vide letter dated 02.07.2015 (Annexure A-1).

4. As the respondent has already substantially complied with the indicated directions, so no further action is required to be taken in the matter.

5. Therefore, the CP is hereby dismissed and the rule of contempt is accordingly discharged.

Needless to mention that in case the petitioner still remains aggrieved by the letter dated 02.07.2015 (Annexure A-1) in any

manner, then he would be at liberty to file an independent O.A. to challenge its validity, in accordance with law.

Copy **DASTI.**

(P.K. BASU)
Member (A)

(JUSTICE M.S. SULLAR)
Member (J)
18.11.2016

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