

**Central Administrative Tribunal
Principal Bench**

**CP No.591/2015
in
OA No.2920/2012**

New Delhi, this the 16th day of November, 2015

**Hon'ble Mr. Justice Syed Rafat Alam, Chairman
Hon'ble Mr. P. K. Basu, Member (A)**

M. S. Gupta
S/o Sh. Gori Lal
R/o F.140, Prashant Vihar,
New Delhi 110 085
Serving as SI Grade-I.

.... Applicant.

(By Advocate : Shri M. K. Bhardwaj)

Versus

1. Shri S. S. Yadav
Chief Executive Officer
Delhi Jal Board,
Varunalaya Building,
Phase-II, Karol Bagh,
New Delhi.
2. Dr. Jaidev Sarangi
Member (Administration)
Delhi Jal Board
Varunalaya Building,
Phase-II, Karol Bagh,
New Delhi.
3. Shri Amit Jain
Assistant Commissioner (G)-II,
Delhi Jal Board,
Varunalaya Building,
Phase-II, Karol Bagh,
New Delhi.

.... Respondents.

(By Advocate : Ms. Sakshi Popli with Shri Nitin Khurana)

: O R D E R (ORAL) :

Hon'ble Mr. Justice Syed Rafat Alam, Chairman :

This is an application for initiating contempt proceedings against the respondents for non compliance of the order of the Tribunal dated 27.08.2014 in OA No.2920/2012.

2. We have heard Shri M. K. Bhardwaj, learned counsel for the applicant, Ms. Sakshi Popli with Shri Nitin Khurana, learned counsel for the respondents and Shri D. K. Singh, Law Officer and Shri Vijay Kumar, legal Assistant on behalf of Delhi Jal Board.

3. At the outset, learned counsel for the respondents produced a photo copy of the office order No.88 dated 12.11.2015 of Assistant Commissioner (G)-II and stated that in compliance to the aforesaid order of the Tribunal, the respondents have already amended the RRs, and thereafter have also given promotion to the applicant as Sanitary Inspector Grade-I on regular basis in the Pay Band-2 of Rs.9300-34800 plus Grade Pay Rs.4600 with other usual allowances as admissible under the rules with effect from the date of filing of OA, i.e., 07.09.2012 filed by the applicant. He, therefore, submits that since the respondents have carried out the direction in terms of the order of the Tribunal, the contempt application has been rendered infructuous.

4. On the other hand, Shri M. K. Bhardwaj, learned counsel for the applicant submitted that though the respondents have produced the copy of the order today in the court, but the same has not been served on the applicant, nor any notification promoting him on the aforesaid post as mentioned in the office order has been given to him. He further states that the consequential benefits arising out of the aforesaid promotion have also not been given to the applicant.

5. Learned counsel for the respondents, however, fairly stated that because of the intervening holidays, copy of the order of promotion could not be served on the applicant but the same would be served on him at the earliest. It is also stated that all consequential benefits payable or available because of the aforesaid promotion to the applicant would also be extended within a reasonable time.

6. In view of the above statement made by learned counsel for the respondents in presence of the departmental representatives, i.e., Shri D. K. Singh and Shri Vijay Kumar, Law Officer and Legal Assistant respectively for the Delhi Jal Board, in our view, no purpose would be served to keep the matter further pending as it appears that there is substantial compliance of our order dated 27.08.2014 in OA No.2920/2012.

7. In view of the above, the contempt proceeding is dropped against the respondents and they are discharged from notices.

8. Let copy of the order dated 12.11.2015 produced by learned counsel for the respondents be kept on record.

(P. K.Basu)
Member (A)

(Syed Rafat Alam)
Chairman

/pj/