

**CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH**

**C.P. No. 623/2014  
O.A. No. 3192/2012**

New, Delhi, This the 18<sup>th</sup> day of August, 2015.

**HON'BLE MR. G. GEORGE PARACKEN, MEMBER (J)  
HON'BLE MR. V.N. GAUR, MEMBER (A)**

M.S. Gupta  
S/o Late Shri Sunder Lal Gupta  
R/o 60-A (GF), Arjun Nagar,  
Near: S.J. Enclave,  
New Delhi-110029. ....Petitioner

(By Advocate: Shri Padma Kumar S.)

Versus

1. Shri. S. K. Das  
Secretary,  
Department of Revenue,  
Ministry of Finance,  
North Block,  
New Delhi-110001.
2. Shri Dr. Rajan Katoch  
Director,  
Directorate of Enforcement,  
6th Floor, Lok Nayak Bhawan,  
New Delhi-110003. ....Respondents

(By Advocate: Shri Rajiv Kumar)

**O R D E R (O R A L)**

**Hon'ble Mr. G. George Paracken, Member (J)**

This Contempt Petition has been filed by the petitioner for the alleged non-implementation of the order dated 01.05.2014

passed by this Tribunal in O.A. No. 3192/2012. The operative part of the said order reads as under :-

“7. We, in the above facts and circumstances of the case, allow this OA and quash and set aside the impugned letter dated 04.01.2012. Consequently, we direct the Respondents to convene the DPC as on 29.03.2011 and consider the case of the Applicant. The DPC shall treat that the Applicant has fulfilled the condition of “10 years combined service as Assistant Director of Enforcement Grade-I/Assistant Director of Enforcement Grade-II subject to minimum of three years as Assistant Director Grade-I”. If he is otherwise found eligible, he shall be recommended for promotion from the date others have been promoted in terms of the recommendations of the aforesaid DPC, with all consequential benefits except back wages. The aforesaid directions shall be complied with, within a period of 2 months from the date of receipt of a copy of this order.

8. There shall be no order as to costs.”

2. According to the learned counsel for the parties, during the course of pendency of this Petition, the respondents have complied with the aforesaid directions by issuing the letter dated 30.07.2015 to him. According to the said letter, the DPC declared him “Unfit” for promotion to the post of Deputy Director of Enforcement (re-designated as Joint Director of Enforcement).

3. Learned counsel for the petitioner has, therefore, submitted that he may be allowed to withdraw this Contempt Petition with liberty to challenge the impugned letter dated 30.07.2015.

4. In view of the above position, this Contempt Petition is closed with a liberty to the petitioner to challenge the letter dated 30.07.2015. Notices issued to the alleged contemnors are discharged. There shall be no order as to costs.

(V.N. GAUR)  
MEMBER (A)

(G. GEROGE PARACKEN)  
MEMBER (J)

/Mbt/