

**Central Administrative Tribunal
Principal Bench, New Delhi**

C.P.No.628/2016 in O.A.No.3660/2012

Monday, this the 6th day of March 2017

**Hon'ble Mr. Justice Permod Kohli, Chairman
Hon'ble Mr. K.N. Shrivastava, Member (A)**

Dr. M R Diwan, IFS (Retd.),
s/o late Mr. D R Diwan
r/o 7009, Orchid Tower
Paramount Symphony
Republic Crossing
Ghaziabad, UP 201009

..Applicant

(Applicant in person)

Versus

1. Mr. Ajay narayan Jha Secy.
Ministry of Environment & Forests
19, Indira Paryavaran Bhawan
Aliganj, Jor Bagh Road
New Delhi – 3
2. Mr. S S Negi, Spl. Secy / DGF
Ministry of Environment & Forests
19, Indira Paryavaran Bhawan
Aliganj, Jor Bagh Road
New Delhi – 3
3. Mr. Alok Sexana, Secy/PCCF
Department of Environment & Forests
Van Sadan, Haddo, Port Blair
Andaman & Nicobar Islands – 744102
(to be served through)
Resident Commissioner posted at
Andaman & Nicobar Bhawan
12 Chanakya Puri
New Delhi – 3

..Respondents

(Mr. R K Sharma, Advocate)

O R D E R (ORAL)

Justice Permod Kohli:

Vide judgment dated 31.10.2013 passed in O.A. No.3660/2012,
following directions were issued:-

“34. In totality of facts and circumstances of the case and in view of our above discussion, we allow the instant Original Application with the following directives:-

1. The impugned order dated 25.09.2012 is quashed and set aside being excessive and bad under law and the case is remanded to the disciplinary authority for taking a fresh decision on the quantum of punishment in the light of our discussion within.

2. The disciplinary authority is directed to complete the directions, as ordained above, within a period of two months from the date of receipt of a certified copy of this order.”

2. Admittedly, the directions have not been complied with. The applicant submits that as a matter of fact the respondents have lost their right to pass a fresh order. However, that is not the issue before us in this Contempt Petition.

3. In this view of the matter, the petitioner seeks permission to withdraw the Contempt Petition with liberty to file fresh Original Application seeking a direction for closing the right of the respondents. Prayer allowed.

4. Proceedings dropped.

(K.N. Shrivastava)
Member (A)

(Justice Permod Kohli)
Chairman

March 6, 2017
/sunil/