

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

**CP-368/2016
In
OA-2162/2016**

New Delhi this the 02nd day of September, 2016.

Hon'ble Sh. Shekhar Agarwal, Member (A)
Hon'ble Mr. Raj Vir Sharma, Member (J)

1. Ashwani Rana,
S/o Sh. Satyapal Singh Rana,
R/o H.No. 18, vill. Mungeshpur,
Delhi-110039,
Aged about 32 years,
2. Sandeep Rana,
S/o Sh. Mahender Singh,
R/o H. No. 737, Shahbad Daulatpur,
Delhi-110042.
Aged about 30 years. ... Petitioners
(By Advocate : Sh. Ajesh Luthra)

Versus

1. Shri Kewal Kumar Sharma,
Chief Secretary,
Govt. of NCT of Delhi,
A-Wing, 5th floor,
Delhi Secretariat, I.P. Estate,
New Delhi.
2. Sh. Sanjay Kumar,
Commissioner
Transport Department
5/9 Under Hill Road,
Delhi-110054.
3. Sh. A.K. Garg,
Secretary,
Delhi Subordinate Services Selection Board (DSSSB),
FC-18, Karkardooma Institutional Area,
Delhi-92. ... Respondents/Contemnors
(By Advocate : Sh. Amit Anand)

ORDER (ORAL)

Hon'ble Sh. Shekhar Agarwal, Member (A)

This CP has been filed alleging non-compliance of our order dated 01.07.2016, the operative part of which reads as follows:

“Issue notice to the respondents returnable on 14.07.2016. In the meanwhile, the respondents shall not

declare the result of the aforesaid examination. Order
DASTI."

Learned counsel for the petitioner has submitted that the respondents have committed contempt of court by declaring the result of the aforesaid examination on 01.08.2016 contrary to the directions of this Tribunal.

3. The respondents have filed their reply in which they have stated that due to communication gap between three branches of DSSSB, namely, Scrutiny, Examination, Secret and Legal Branch, the result was declared despite receiving the order of this Tribunal on 04.07.2016. However, the remedial action has been taken and the result has been withdrawn vide public notice no. 525 dated 23.08.2016. The respondents have further submitted that it was only inadvertently that the result was declared and the respondents had no intention to disobey the order of this Tribunal.

4. The respondents have also sought pardon of this court for the mistake committed by them. They have also submitted that to avoid recurrence of such mistakes in future, Chairman of DSSSB has given specific directions that a clearance certificate of no judicial restraint be obtained from all the concerned branches before declaration of results in future.

5. After perusal of the reply of the respondents, we are satisfied that this is not a case of wilful disobedience of court orders. Now that the respondents have themselves withdrawn the result, we do not see any contempt subsisting in this case. The respondents have also tendered an apology. Accordingly, we close this CP and discharge the notices issued to the alleged contemnors.

(Raj Vir Sharma)
Member (J)

(Shekhar Agarwal)
Member (A)

/ns/