

**Central Administrative Tribunal
Principal Bench**

**CP No.292/2016
IN
OA No.893/2016**

New Delhi, this the 21th April, 2017

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

Shri Hari singh (Aged about 47 years)
Ex. ACIO-1/G
S/o Shri Amar Singh
R/o C-II/37, Lodhi Colony
New Delhi – 110092. ..Applicant

(By Advocate: Shri T.D. Yadav)

Versus

Shri Rajiv Meharishi, Secretary
Ministry of Home Affairs
Govt. of India, North Block
New Delhi. ..Respondent

(By Advocate: Shri R.N. Singh)

ORDER (ORAL)

Justice Permod Kohli, Chairman :-

An additional affidavit has been filed on behalf of respondents annexing thereto copy of order dated 14.02.2017 whereby the appeal preferred by the applicant has been decided.

2. These contempt proceedings arise out of the Order dated 10.03.2016 passed in OA No.893/2016 whereby following directions were issued:-

"Having heard the learned counsel for the applicant and having gone through the record, the main OA is disposed of with the direction to the respondent No.1 to decide the appeal dated 23/7/2015 (Annexure A-I) filed by the applicant, in accordance with law, within a period of two months from the date of receipt of a certified copy of this order as prayer for. No costs."

3. The only direction to the respondents was to decide the appeal filed by the applicant within a period of two months. Though the appeal has been decided beyond the time allowed by the Tribunal but the fact remains that appeal has been decided and dismissed.

4. During the pendency of the contempt proceedings vide order dated 30.01.2017, we had directed the respondents to consider the representations of the applicant filed against the UPSC's advice as also the disagreement note. A reference was made to the representations filed by the applicant, though there is an error in regard to the date of representation against the disagreement note. In the additional affidavit the respondents have denied receipt of copies of the

representations. However, learned counsel for the applicant today produced copies of representations dated 09.01.2017 and 31.01.2017 in respect to UPSC advice and disagreement note. Copies of these representations have also been furnished to Shri R.N. Singh. The applicant has also annexed the speed post receipts to indicate that these representations were sent to the respondents through Speed Post. In spite of the above, the fact remains that the contempt proceedings cannot be continued, the respondents having passed the order disposing of the appeal. The present contempt proceedings are hereby dropped. The applicant is at liberty to challenge the order dated 14.02.2017 passed by the respondents, if so desired, in accordance with law.

(K.N. Shrivastava)
Member(A)

(Justice Permod Kohli)
Chairman

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