

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

**CP-403/2016 in
OA-2166/2011**

New Delhi this the 19th day of January, 2017

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

Shiv Kumar Kaushik,
S/o Sh. B.N. Sharma,
R/o 3/54, Sec-2, Rajinder Nagar,
Sahibabad, Ghaziabad, UO.

Petitioner

(By Advocate : Sh. M.K. Bhardwaj)

Versus

1. Sh. Ramesh Negi,
Chief Secretary,
Govt. of NCT of Delhi,
Delhi Secretariat,
IP Estate, New Delhi.
2. Smt. Punya Salila Srivastava,
Secretary (Education),
Govt. of NCT of Delhi,
Delhi Secretariat,
IP Estate, New Delhi.
3. Smt. Saumya Gupta,
Director,
Directorate of Education,
Govt. of NCT of Delhi,
Old Secretariat, New Delhi.
4. Sh. M.L. Ambphore,
Deputy Director of Education,
Distt. North East, B-Block,
Yamuna Vihar, Delhi.

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Respondents

(through Sh. Vijay Pandita)

ORDER (ORAL)

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

This CP has been filed for alleged non compliance of our order dated 03.01.2012, operative part of which reads as follows:

"7. In the above facts and circumstances of the case, we dispose of this OA with a direction to the respondents to supply the documents sought for by the applicant vide his Annexure A-8 letter dated 19.10.2010 within one month from the date of receipt of a copy of this order. Thereafter, he shall be given 15 days time to submit his written statement of defence, if any. On receipt of the same, the disciplinary authority shall decide whether the proposed

inquiry shall be conducted against the applicant or not. However, in the interest of justice, the disciplinary authority shall cancel the appointments of the Inquiry Officer and the Presenting Officer made in this case as the same was before receipt of the statement of defence from the applicant. If the disciplinary authority proceeds to continue with the disciplinary proceedings against the applicant after going through his written defence statement, may also appoint the Inquiry Officer and the Presenting Officer who shall be other than the persons who have already been appointed. The applicant shall also fully co-operate with the inquiry proceedings so that the endeavour should be to finalize the proceedings as early as possible. With the aforesaid directions, this OA is disposed of. There shall be no order as to costs."

2. The respondents have pointed out that in his additional affidavit filed on 29.08.2016, the petitioner has admitted that his only surviving grievance was that three complaints dated 15.10.2002, 24.09.2006 and 30.10.2009 have still not been supplied to him.
3. Today when this matter was taken up, learned counsel for respondents has submitted that vide memorandum dated 17.01.2017 all the complaints have been supplied to the petitioner and he has also acknowledged the same. Learned counsel for the respondents has also submitted that other than these, there were no complaints pending against the applicant.
4. In view of the aforesaid, we are of the opinion that our order has been substantially complied with. Accordingly, this CP is closed. Notices issued to the contemnors are discharged.

(Raj Vir Sharma)
Member (J)

(Shekhar Agarwal)
Member (A)

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