

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI**

**CP 410/2015
IN
OA 4019/2014**

this the 24th day of November, 2015

Hon'ble Mr. V. Ajay Kumar, Member (J)
Hon'ble Mr. Shekhar Agarwal, Member (A)

Dr. Rafeeq Masoodi
S/o Late Shri Ghulam Ahmed Masoodi
R/o 302, G49/5, Shaheen Bagh
Abdul Fazal Enclave, Jasola Vihar
New Delhi – 110 025

.... Petitioner

(By Advocate: Shri Ajesh Luthra)

VERSUS

1. Bimla Jhulka
Secretary
Union of India
Ministry of Information and Broadcasting
Shastri Bhawan, A-Wing
New Delhi – 110 001
2. Shri Ashim Khurana
Secretary
Union Public Service Commission
Dholpur House, Shahjahan Road
New Delhi – 110 011
3. Jawhar Sircar
Chief Executive Officer
Prasar Bharti
Prasar Bharti Secretariat
2nd Floor, PTI Building
Sansad Marg, New Delhi – 110 001
4. F. Shehyar
Director General
All India Radio

Akashwani Bhawan
Sansad Marg
New Delhi – 110 001

.... Respondents.

(By Advocate: Shri Sameer Aggarwal for R-1
Shri Rajeev Sharma for R-3 & 4
Shri Amit Yadav for Shri Ravinder Aggarwal for R-2)

ORDER (ORAL)

By Hon'ble Mr.V. Ajay Kumar,

Heard both sides.

2. The present Contempt Petition is filed alleging violation of the order of this Tribunal in OA No.4019/2014 dated 21.05.2015. The said order reads as under :-

"Heard. The matter is covered by the decision of the Coordinate Bench in **Gurmail Chand v. Union of India and others**, OA No.596/2014 decided on 24.03.2015. It appears that DPC has not been held for a long while, and the UPSC explained that with the transfer of the posts to Prasar Bharti, consultation with them was not necessary. Therefore, we direct the respondents to hold the DPC and pass appropriate orders within four weeks hence, as the applicant will be retiring at the end of June, 2015."

2. The OA is allowed to the above extent. No costs."

3. The respondent nos.3 & 4 filed an affidavit on 14.10.2015 stating that in pursuance of the order of this Tribunal a DPC was held on 01.09.2015 to consider the applicant for promotion to SAG IB(P)S. The applicant was duly considered, however the recommendation in respect of applicant was kept in sealed cover in accordance with DOPT OM dated 14.09.1992 in as much as two charge sheets have been filed against him. The Office Order dated 24.09.2015 issued by Prasar Bharati is enclosed to the said compliance.

4. In the circumstances, we are satisfied that the orders of this Tribunal have been substantially complied with. Accordingly, the CP is closed. Notices are discharged. However, the applicant is at liberty to question the order now passed by the respondents, if he is still aggrieved, in accordance with law. No costs.

(SHEKHAR AGARWAL)
Member (A)

(V. AJAY KUMAR)
Member (J)

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