

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI**

CP No.453/2017 in OA No.176/2017

This the 23rd day of October, 2017

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

Shri Sunil Kumar Panda
S/o Sh. Laxminarayan Panda
Aged about 54 years at present working as
Superintending Engineer (Electrical) Level-I
R/o Plot No.SJN-B/1, Sahayog Nagar
At/Po. Budharaja, Sambalpur
Odisha ... Applicant

(By Advocate: Shri Sanjiv Joshi with Shri Kalyan Babu Singh)

Versus

1. Sh. Aditya Prasad Padhi
Chief Secretary, State of Odisha
Bhubaneswar, Distt. Khurda-751001
Odisha. ... Respondent

(By Advocates: Shri Vijendra Singh for Respondent No.1, Shri R.V. Sinha for Respondent No.2, Shri Soumyajit Pani for Respondent No.3 and Shri P.K. Singh for Shri A.K. Behera for Respondent No.5)

Order (Oral)

Justice Permod Kohli:

These contempt proceedings have been initiated for alleged non compliance of the interim order dated 16.01.2017 whereby the following directions were issued:-

“List on 23.03.2017. In the meantime, the selection of the private respondents shall

remain subject to the outcome of this OA. A specific endorsement shall be made in this regard in selection/appointment letters of the private respondents. Issue 'Dasti'."

2. The respondents have filed their counter affidavit placing on record the order of appointment of respondent No.5 in the OA vide Notification dated 13.01.2017 (Annexure R-2) issued by the Government of India. The said Notification was subsequently re-published by the State of Odisha vide notification dated 17.01.2017(Annexure R-3). It is specifically stated that the interim order dated 16.01.2017 was communicated to the respondent on 03.06.2017, and the Notification dated 13.01.2017, appointing the respondent No.5, having been issued prior to the issuance of the interim order by this Tribunal, there was no occasion for the respondent to make specific endorsement, as directed by this Tribunal, in the notification dated 17.01.2017.

3. In this view of the matter, no contempt is constituted. CP is dismissed.

(K N Shrivastava)
Member(A)

(Justice Permod Kohli)
Chairman

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