

**Central Administrative Tribunal  
Principal Bench**

**CP No.481/2015**

**OA No.678/2010**

**New Delhi, this the 18<sup>th</sup> day of February, 2016**

**Hon'ble Mr. Justice Syed Rafat Alam, Chairman  
Hon'ble Mr. P. K. Basu, Member (A)**

1. Rampal (Mali)  
S/o Shri Pratap Singh  
Hort. Department, Western Zone,  
Ashok Nagar, 60 Block, Rajouri Garden,  
SDMC, New Delhi.
2. Prakash (Mali)  
S/o Sh. Malkhan  
MCD Zonal Office, Keshav Chowk,  
Near Shyam Lal College,  
Shahdara (North) Delhi 110 092.
3. Kartar Singh (Mali)  
S/o Sh. Ram Das  
MCD Zonal Office, Keshav Chowk,  
Near Shyam Lal College,  
Shahdara (North) Delhi 110 092.
4. Kishan Chand (Chowkidar)  
S/o Sh. Prahlad Singh  
MCD Zonal Office, Keshav Chowk,  
Near Shyam Lal College,  
Shahdara (North) Delhi 110 092.
5. Suresh Pal (Chowkidar)  
S/o Shri Lal Singh  
MCD Zonal Office, Keshav Chowk,  
Near Shyam Lal College,  
Shahdara (North) Delhi 110 092. .... Applicants.

(By Advocate : Shri S. A. Akhtar and Ms. Shruti Munjal)

Versus

1. Dr. Puneet Kumar Goel  
Commissioner,  
South Delhi Municipal Corporation,  
Dr. S. P. Mukherjee, Civic Centre,  
J. L. Nehru Marg, Minto Road,  
New Delhi 110 002.

2. Sh. P. K. Gupta  
Commissioner,  
South Delhi Municipal Corporation,  
Dr. S. P. Mukherjee, Civic Centre,  
J. L. Nehru Marg, Minto Road,  
New Delhi 110 002.

3. Shri Amit Yadav  
Commissioner,  
South Delhi Municipal Corporation,  
Dr. S. P. Mukherjee, Civic Centre,  
J. L. Nehru Marg, Minto Road,  
New Delhi 110 002.

... Respondents.

(By Advocates : Shri R. K. Jain for respondent Nos.1 & 2  
Ms. Sangita Rai for respondent No.3)

**: O R D E R (ORAL) :**

**Justice Syed Rafat Alam, Chairman :**

This is an application for initiating contempt proceedings against the respondents, who are three in number, for the alleged deliberate violation of the order of the Tribunal dated 31.08.2010 in OA No.678/2010.

2. At the outset, Ms. Sangita Rai, learned counsel for respondent nos.2 & 3 submitted that the direction of the Tribunal has fully been implemented, inasmuch as, applicant Nos.2 to 5 have been given the benefit of Assured Career Progression Scheme vide order dated 17.02.2016. Since applicant No.1 is working under respondent No.1 Shri R. K. Jain, learned counsel, on instructions from Shri S. P. Meena, Assistant Director, Horticulture Department, West Zone, who is also present in court, made a statement before us that applicant No.1 will also be given the same benefit in compliance to the aforesaid order of the Tribunal, as well as arrears thereon within a period of four weeks from today.

3. In view of the categorical statement made at the Bar on behalf of the respondent No.1, and also keeping in view that the other applicant Nos.2 to 5 have been given the benefit vide order dated 17.02.2015, which is produced before us today, we are of the view that no purpose would be served by keeping the matter further pending as substantial compliance has been made by the respondents in respect of applicant Nos.2 to 5, we drop the contempt proceedings. The respondents are discharged from notices. However, in the event the respondent No.1 fails to implement the order within the time indicated above, i.e., four weeks from today, it will be open to the applicant to make an application for revival of the contempt application. We further provide that the respondents shall give the benefit of the aforesaid order by making actual payment to the applicants in respect of arrears expeditiously.

4. Let the order dated 17.02.2015 be kept on record.

**(P. K. Basu)**  
**Member (A)**

**(Syed Rafat Alam)**  
**Chairman**

/pj/