

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI**

**C.P. No.340/2017 In
O.A. No.1143/2016**

Reserved on: 24.09.2018

Pronounced on: 10.10.2018

Hon'ble Mr. V. Ajay Kumar, Member (J)
Hon'ble Mr. A.K. Bishnoi, Member (A)

1. Shri Arun Sheel Anand
Aged about 35 years
S/o Sh. Bhagwan Singh
R/o B-9/171, Bhajan Pura,
Delhi-110053
2. Shri Kumar Gaurav
Aged about 37 years
S/o Sh. Dharam Bir
R/o H. No. 426, Jatav Mohalla,
Bijwasan Village,
New Delhi.

-Applicants

(By Advocate: Shri S.K. Gupta)

Versus

1. Sh. Sushil Chandra,
Chairman
Central Board of Direct Taxes,
Ministry of Finance,
Department of Revenue,
North Block,
New Delhi.
2. Sh. S.S. Rathor,
Pr. Chief Commissioner of Income Tax,
Department of Revenue,
Ministry of Finance, C.R. Building,
I.P. Estate,
New Delhi.

-Respondents

(By Advocate: Shri Hanu Bhaskar)

ORDER

Hon'ble Mr. A.K. Bishnoi, Member (A):

The instant Contempt Petition has been filed against the respondents alleging non-compliance of the orders of this Tribunal dated 27.03.2017 in OA No. 1143/2016, whereby following directions were given:-

“8. In the light of the above, we are of the view that the instant OA deserves to succeed. Accordingly, we hereby set aside the decision contained in the impugned communication (Annexure A1 colly) and direct the respondents to hold review DPC for considering the applicants for promotion as Income-tax Officers by extending the benefit of Chet Ram Meena and, if found fit, grant them promotion with all consequential benefits. This shall be done within six weeks from the date of receipt of a copy of this Order. However, it is made clear that such promotions, if any, shall be subject to the final outcome of the SLP in Chet Ram Meena.

9. The OA is allowed accordingly. No order as to costs.”

2. The applicants have submitted that the orders of this Tribunal were required to be complied with within a period of six weeks from the date of receipt of a copy of that order but till now they have not complied with the directions of this Tribunal.

3. The respondents have filed their counter-affidavit on 18.12.2017. They have mentioned that the applicant No.1 Shri Arun Sheel Anand had filed a representation dated 03.04.2017 intimating the orders of this Tribunal. In response to that, the respondent-department informed the applicants that the DPC

meeting was convened on 29.08.2017 to review the minutes of DPCs for Recruitment Years 2006-07 to 2016-17 and regular DPC for Recruitment Year 2017-18. The case of both the applicants was considered but they could not be empanelled.

3.1 The respondents have specifically stated for both the applicants that their services rendered in previous region before Inter-Charge Transfer to Delhi Region were considered as directed by the order of this Tribunal.

4. The applicants in their rejoinder have themselves submitted a copy of the minutes of review DPC.

5. From the above, it is clear that in compliance of the orders of this Tribunal dated 27.03.2017, the respondents have held the review DPC in the manner prescribed. As such, nothing survives in the Contempt Petition and it is accordingly dismissed. Notices issued to the respondents are discharged.

(A.K. BISHNOI)
MEMBER (A)

(V. AJAY KUMAR)
MEMBER (J)

cc.