

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

Contempt Petition No.180/00123/2017

in

Original Application No.606/2014

Friday, this the 16th day of February, 2018

CORAM:

Hon'ble Mr. U. Sarathchandran, Judicial Member
Hon'ble Mr.E.K.Bharat Bhushan, Administrative Member

1. Giri Sankar M.G,
S/o.V.Mohan Nair
Residing at Bhagavathy Cottage
Bhagavathy Nada P.O
Balaramapuram
Thiruvananthapuram-695 501
2. Arshad M
S/o.Assainar
Residing at Appatta House
Moolad P.O
Naduvannur (via), Kozhikode-673 614

... Petitioners

(By Advocate Mr.K.A.Hassan)

Versus

Raj Kumar I.A.S
Director General
Employees State Insurance Corporation
Panchdeep Bhavan, Comrade Road
Indrajith Gupta (CIG) Marg, New Delhi – 110 002

... Respondent

(By Advocate -Mr.T.V.Ajayakumar)

This Contempt Petition having been heard on 16.2.2018, the Tribunal on the same day delivered the following:

O R D E R (ORAL)

Per: Hon'ble Mr.U.Sarathchandran, Judicial Member

Learned counsel for the petitioners submitted that in the light of Annexures M.A-2 and M.A-3 orders granting appointment to the petitioners, this Contempt Petition can be closed. Mr.T.V.Ajayakumar, learned counsel for the respondents present. The order of this Tribunal dated 11.12.2017 reads :-

" Shri.Hassan appearing for the petitioner submitted that he would be filing a fresh additional affidavit in this matter pointing out the alleged contempt committed by the respondents. We direct the petitioner to confine the affidavit only to the directions of this Tribunal which is extracted below:-

"12. The only relief that can be provided is to direct the respondents to notify the applicants about the next such recruitment to be made and consider the applicants despite the fact that they are overaged or their certificates are outdated as otherwise applicants in these O.As will suffer both these disqualifications on account of the cancellation of the faulty recruitment process followed by the respondents, for which the applicants cannot be held responsible or made to suffer. The O.As are disposed of accordingly. No costs. (Dated this the 20th day of June 2016)"

Applicant is directed to state clearly in the affidavit as to whether any recruitment process has been initiated by the respondents after the date of Annexure P-1 order i.e, 20.6.2016.

List on 5.1.2018. "

2. In the light of the afore-mentioned documents including offer of appointment given to the petitioners, we feel that there is substantial compliance of the afore-quoted order passed by this Tribunal. We find nothing contumacious of this Tribunal's order committed by the respondents. Accordingly, this CP(C) is closed. Notices shall stand discharged.

**(E.K. Bharat Bhushan)
Administrative Member**

**(U. Sarathchandran)
Judicial Member**

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List of Annexures

1. Annexure P1 - True copy of the order dated 20.6.2016 in O.A 606/2014 of the Central Administrative Tribunal, Ernakulam Bench.
2. Annexure P2 - True copy of the order dated 7.7.16 in M.A 691/16 in O.A 606/14 of the CAT, Ernakulam Bench
3. Annexure P3 - True copy of the judgment dated 11.4.17
4. Annexure P4 - True copy of the request letter dated 28.6.17
5. Annexure P5 - True copy of the receipt of register post RL 764766641IN dated 29.6.17

6. Annexure P6 - True copy of the reply letter from the office of the Prime Minister of India dated 4.7.17.

7. Annexure P7 - True copy of the M.A No.691/16 dated 29.6.16

8. Annexure P8 - True copy of the Original Petition (CAT) 20/16 dated 14.11.16

9. Annexure P9 - True copy of the Affidavit in OP(CAT) 20/17 dated 9.3.17

10. Annexure P10 - True copy of the office order of transfer no.15/17 dated 8.3.2017

11. Annexure P11 - True copy of the letter bearing no.54-Z/12/14/CPIO/RTI-2016 dated 28.2.2017

12. Annexure P12 - True copy of the application dated 21.11.17

13. Annexure P12(a) True copy of the reply dated 19.12.17

14. Annexure MA 1 True copy of the order dated 22.1.2018 of the Hon'ble Supreme Court in SLP(Civil) Diary No.39849/2017

15. Annexure MA 2 - True copy of the Memorandum dated 8.2.2018 issued by the Additional Commissioner and Regional Director, ESI Corporation, Jharkhand

16. Annexure MA 3 - True copy of the Memorandum dated 8.2.2018 issued by the Additional Commissioner and Regional Director, ESI, Corporation, Kolkata

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