

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

C.P. No. 512/2018 in
O.A. No. 2427/2018

The 31st day of August, 2018

HON'BLE MR. V. AJAY KUMAR, MEMBER (J)
HON'BLE MR. PRADEEP KUMAR, MEMBER (A)

Rajesh Kumar
Age 57 years
S/o Braj Deo Sharma
R/o 31/6, Type-V, BSNL Colony,
Kalibari Marg,
New Delhi-110001.

.. Petitioner

(By Advocate: Shri Himanshu Upadhyay with Ms. Triveni Potekar)

Versus

1. Dr. C. Chandra Mauli
Secretary,
Ministry of Personnel,
Department of Personnel and Training (DoPT),
New Delhi-110001.
2. Smt. Kim Bowng Kipgon,
Secretary,
Public Enterprises Selection Board,
502, Block No.14, Public Enterprises Bhawan,
CGO Complex, Lodhi Road,
New Delhi-110 001.
3. Mr. Anuupam Srivastava
Chairman & Managing Director,
Bharat Sanchar Nigam Ltd.
BSNL Corporate Office,
Bharat Sanchar Bhavan,
Janpath, New Delhi.

.. Respondents

(By Advocate : Shri Shailendra Tiwary for R-1, Shri R.V. Sinha with
Shri Amit Sinha and Shri Vaibhav Pratap Singh for
R-2 and Ms. Shiva Pandey for Shri Swatantra Rai
for R-3)

ORDER (ORAL)**By Mr. V. Ajay Kumar, Member (J)**

Heard both the sides.

2. Learned counsel for the petitioner submits that this Tribunal in O.A. No. 2427/2018, filed by the applicant, passed the following order on 29.06.2018:

“5. Issue notice to respondent No.3, returnable on 13.07.2018.

6. Any promotion to the post of Director (Consumer Fixed Access) under the category for internal candidates shall be subject to the result of the O.A.

Order by **DASTI**”.

3. The learned counsel further submits that since the respondents vide Annexure CP-2 not only conducted the interviews but also recommended one person for the post of Director (Consumer Fixed Access) BSNL, the respondents committed contempt of the aforesaid orders of this Tribunal.

4. The interim order dated 29.06.2018 in O.A. No.2427/2018 is corrected by order dated 31.08.2018, to the effect that the word “promotion” is to be read as “selection”.

5. A perusal of the interim order dated 29.06.2018 in O.A. No.2427/2018 enclosed as Annexure CP-1, and as corrected, as

above, against which the applicant is contending that the respondents have committed a contempt, indicates that this Tribunal only made any selection to the post of Director (Consumer Fixed Access) under the category for internal candidates shall be subject to the result of the O.A. It has not given any direction to the respondents to act in a particular manner. The Annexure CP-2 also indicates that the respondents specifically stated that their action is subject to the outcome of the O.A. No.200/610/2018, wherein also an identical order was passed, as submitted by the learned counsel for the applicant.

6. In the circumstances, we do not find any merit in the CP and, accordingly, the same is dismissed.

(PRADEEP KUMAR)
Member (A)

(V. AJAY KUMAR)
Member (J)

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