

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

CP No.744 of 2017
IN
O.A. No.3213 of 2015

This the 15th day of May, 2018

**Hon'ble Mr. Justice Dinesh Gupta, Chairman
Hon'ble Mr. K.N.Shrivastava, Member (A)**

V.K. Bahuguna
Former Director General, ICFRE
Aged about 63 years,
R/o Flat No.A-101, Jagdambe Apartment,
C-58/25 Opposite TOT Mall,
Near Fortis Hospital
Sector-62, Noida-201309.
Uttar Pradesh.

....Petitioner

(By Advocate Shri Siddharth Shukla and Shri Mohit Chaubey for
M/s Harsh Pathak & Assoc.)

VERSUS

C.K. Mishra,
Secretary,
Ministry of Environment, Forest and Climate Change,
Indira Paryavaran Bhawan, Aligarj,
Jorbagh Road,
New Delhi-110003.

.....Respondent

(By Advocate : Shri Hanu Bhaskar)

ORDER (ORAL)

K.N. Srivastava, Member (A) :

Heard.

2. The applicant was served with a charge Memo dated 4.5.2011 which he challenged in OA 3213/2015. The said OA was disposed of by the Tribunal vide Order dated 16.8.2016 with the following directions:-

- “(i) The applicant is entitled to raise all issues pleaded in the present O.A. and such other issues, as are permissible under the law, before the inquiring/disciplinary authorities.
- (ii) The inquiring authority would examine and decide such issues by passing a reasoned and speaking order.
- (iii) The inquiring authority would conclude the inquiry proceedings within a period of four months from the date of receipt of a copy of this Order.
- (iv) On receipt of the report of the inquiring authority, the disciplinary authority shall pass the final order within a period of four months thereafter.
- (v) The applicant is also directed to cooperate during the course of inquiry. In the event the applicant fails to cooperate, the inquiring authority is at liberty to proceed in the matter in accordance with law.”

3. Since the aforesaid directions issued were not complied with within the time prescribed, the respondents filed MA 111/2017 seeking extension of time. During consideration of the said MA on 11.1.2017, it was informed by the learned counsel for the respondents that the departmental inquiry against the applicant has since been concluded. The Tribunal thus found that the said MA has been rendered infructuous and dismissed it accordingly.

4. The respondents have placed on record a copy of the order dated 8.2.2018 whereby the applicant has been fully exonerated of all the charges.

5. In this view of the matter, Contempt Petition has become infructuous. Dismissed as such. Notice issued to the respondent is discharged.

(K.N.Shrivastava)
Member (A)

(Justice Dinesh Gupta)
Chairman

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