

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
JABALPUR

Civil Contempt Petition No.200/00032/2017
(In OA No.200/185/2017)

Jabalpur, this Wednesday, the 31st day of January, 2018

HON'BLE SHRI NAVIN TANDON, ADMINISTRATIVE MEMBER
HON'BLE SHRI RAMESH SINGH THAKUR, JUDICIAL MEMBER

Rahul, S/o Man Singh R/o VPO Kiraawar
Tehsil Roshaan District Bhiwani
Haryana 127035
Mob: 8930543824

-Petitioner

(By Advocate –None)

V e r s u s

To Chairman (Ashim Khurana)
Staff Selection Commission
J-5 Anupam Nagar, Raipur
(C.G.) 492007 through its
Regional Director

- Respondent/Contemnor

(By Advocate –**Shri Alok Pathak**)

O R D E R (Oral)

By Ramesh Singh Thakur, JM:-

This Contempt Petition has been filed under Section 17 of the Administrative Tribunal Act, 1985 R/W Rules 18 of the Central Administrative Tribunal and Section 12 of the Contempt of Court Act 1971 for punishing the contemnor for having willful and deliberately disobeyed and not complied with the order/direction passed by this Tribunal.

2. The petitioner submitted in this petition that the order dated 17.03.2017 (Annexure C-1) passed by this Tribunal in Original Application No.200/00185/2017, wherein the respondents were directed to decide the petitioner's representation within 7 days expeditiously preferably. The petitioner/applicant made a representation dated 06.04.2017 (Annexure C-2) addressing all the grievances occurred to the petitioner and sent it to the office of the respondent/contemnor.

3. It has been submitted that in lieu of the said representation respondent/contemnor issued letter dated 12.04.2017 (Annexure C-3) to the Controller of Examination, Maharshi Dayanand University, Rohtak along with the copy to applicant, whereby directing the University to verify the enrollment of petitioner and also directed them to verify whether he has passed his Bachelor Degree prior to the cut-off date i.e. 01.01.2015 or not.

4. It is further submitted that the University on 26.05.2017 (Annexure C/4) has issued reply to the letter of respondent/contemnor and verified the enrollment of petitioner and also categorically mentioned that the petitioner has cleared his B.A. Degree prior to the cut-off date 01.01.2015 and he had become graduate on 27.06.2014.

5. It is further submitted that the petitioner again made a comprehensive representation dated 07.07.2017 (Annexure C-5) to the respondent/contemnor whereby reflecting his grievances to the department of respondent/contemnor but so far respondent/contemnor did not bother to decide representation of petitioner. So, the petitioner has prayed that the respondent/contemnor has willfully disobeyed the order of this Tribunal and be punished.

6. The respondent/contemnor has filed the reply to the Contempt Petition and he has submitted his unconditional apology for delay in filing the same. It is further submitted by the respondent/contemnor that the reason behind delay is bonafide and is not deliberate. The mark-sheets submitted by applicant, during the verification stage, were found to be suspicious and were therefore sent to the Maharishi Dayanand University, Rohtak, Haryana for due diligence i.e. further examination and authentication of the said document. The said process took some time as a result of which this delay occurred.

7. In the meanwhile, this Court has issued the directions to take further necessary action. Therefore, in compliance of the said order of this Tribunal, it was decided to call the applicant for an

interview on 02.11.2017 for which he was given advance intimation by SMS/phone/e-mail. It has been further submitted that the candidate, as scheduled attended the said interview on 02.11.2017 which was completed on the same day.

8. In view of the reply filed by the respondent-contemnor, we are of the opinion that the order dated 17.03.2017 has been fully complied with, as the petitioner was called for the interview on 02.11.2017 and he had also appeared in the interview on 02.11.2017. So the order dated 17.03.2017 has been fully complied with and there is no willful and intentional delay. Therefore, there is no merit in this Contempt Petition. Hence this Contempt Petition is dismissed being devoid of any merit. Notice issued to the respondent/contemnor is discharged.

(Ramesh Singh Thakur)
Judicial Member

(Navin Tandon)
Administrative Member

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