

Reasoned

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
JABALPUR

CIVIL CONTEMPT PETITION NO.200/00040/2016
(in OA No.200/01030/2014)

Jabalpur, this Thursday, the 23rd day of August, 2018

**HON'BLE MR.NAVIN TANDON, ADMINISTRATIVE MEMBER
HON'BLE MR.RAMESH SINGH THAKUR, JUDICIAL MEMBER**

Amar Narayan Sharma, S/o Shri R.N.Sharma,
DOB: 24.6.1954, R/o C-11, Jai Jagdambika,
S.S.Nagar, Hathital, Jabalpur (M.P.)-482001 - **APPLICANT**

(By Advocate – Shri S.K.Nandy)

Versus

1. Shri Sunil Arora, Secretary, Ministry of Information & Broadcasting, New Delhi- 110 001
2. Ms. Aparna Vaish, the Director General, Prasar Bharti, Door Darshan, Copernicus Marg, New Delhi-110 001
3. Smt. Deepika M. Kalwit, Pay and Accounts Officer, Doordarshan, Nagpur, Information & Broadcasting, New Secretariat Building, Second Floor, Civil Lines, Nagpur-440 001 (Maharashtra).
4. Shri P.K.Patle, Deputy Director (Engg.), HPT Doordarshan, Katanga, Jabalpur (M.P.).-482001

(By Advocate – Shri D.S.Baghel)

ORDER

By Ramesh Singh Thakur, JM-

This present contempt petition has been filed under Section 17 read with Section 27 of the Administrative Tribunals Act, 1985 for initiating contempt proceedings for wilfully disobeying the order dated 29.10.2015

passed by this Tribunal in Original Application No.200/01030/2014 (Annexure CP-1).

2. The submission of the petitioner is that the respondents/contemnors have deliberately and wilfully committed disobedience of the order dated 29.10.2015 passed by this Tribunal in Original Application No.200/01030/2014 (Annexure CP-1).

3. The respondents/condemners have filed their reply/status report. It has been specifically submitted by the replying respondents that they have highest regard for the orders passed by this Tribunal and they can not even think of disobeying the same.

3.1 It has further submitted by the replying respondents that in compliance of the order of the Tribunal, a copy of the same was sent to the Directorate General, Doordarshan vide letter dated 06.11.2015 with a request to forward the matter to the Ministry of Information & Broadcasting for necessary compliance. It has been further submitted that vide letter dated 10.12.2015 (Annexure R-1) the Director General, Doordarshan has also referred the matter to the Ministry of I&B. The DG, AIR referred the matter to Ministry of I&B and issued a speaking order dated 14.09.2016 to the petitioner herein, explaining therein that the matter is under examination of Ministry of I&B. It has been specifically

mentioned that the Ministry of I&B has further taken up the matter with the DoP&T, Ministry of Law etc. Thereafter, necessary action will be taken as per the instructions received from the nodal departments.

3.2 It has been further submitted that in the meantime a similar prayer was made by one Smt.Syamali Biswas by filing O.A. No.1118/2015 before the Principal Bench of this Tribunal and the Principal Bench directed the respondents to restore the 2nd and 3rd MACP benefits to the applicant therein. The said order of the Principal Bench has been assailed by the respondents before the Hon'ble High Court of Delhi by filing Writ Petition (c) No.2034/2017, which is still pending. Hon'ble High Court of Delhi has stayed the operation of the order passed in OA No.1118/2015 vide order dated 11.04.2017 (Annexure R-2).

4. Heard the learned counsel of both sides.

5. It is clear from the submissions of the replying respondents that the matter which was decided by CAT/Principal Bench in OA No.1118/2015, is similar in nature with the matter decided by this Tribunal in OA No.200/01030/2014. The replying respondents have already filed Writ Petition before Hon'ble High Court of Delhi and operation of the order of CAT/Principal Bench has been stayed. Meaning thereby the explanation given by the replying respondents is a reasoned one and there is no

intentional and wilful disobedience on the part of the replying respondents/departments.

6. Resultantly, this CCP is not maintainable at this stage and accordingly dismissed.

(Ramesh Singh Thakur)
Judicial Member

(Navin Tandon)
Administrative Member

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