

CENTRAL ADMINISTRATIVE TRIBUNAL
MADRAS BENCH

Dated the Tuesday 20th day of November Two Thousand And Eighteen

PRESENT:

THE HON'BLE MR. R. RAMANUJAM, MEMBER (A)

THE HON'BLE MR. P. MADHAVAN, MEMBER (J)

C.P.310/115/2018

in

O.A. 310/757/2018

N.Ramamuthi,
S/o. N. Narayanasamy,
S.13/S Block, 16th Street,
Anna Nagar,
Chennai- 600 040.

....Applicant/Applicant

(By Advocate: Mr. R. Malaichamy)

Versus

1. Sri Raghvendra Singh,
The Secretary (Textiles),
Ministry of Textiles,
Udyog Bhavan,
New Delhi;
2. Sri Shantmanu,
The Development Commissioner,
O/o. the Development Commissioner (Handicrafts),
West Block No.7,
R.K. Puram,
New Delhi- 110 066;
3. Sri Arunkumar Yadav,
The Director (Handicrafts),
O/o. The Development Commissioner (Handicrafts),
West Block, No.7,
R.K. Puram,
New Delhi- 110 066;
4. Sri P. Mallaikarjunaiah,
The Regional Director(H),
O/o. the Development Commissioner (Handicrafts),
3rd Floor,
Shastri Bhavan,
26, Haddows Road,
Chennai- 600 006.

...Respondents/Respondents

(By Advocate: Mr.)

ORAL ORDER

(Pronounced by Hon'ble Mr. R. Ramanujam, Member (A))

Applicant has filed this C.P. for wilful disobedience of the order of this Tribunal dated 21.06.2018 whereby the respondents were directed to expedite the process of holding DPC with a view to ensuring that no injustice is caused to the applicant.

2. It is submitted that the applicant retired on 31.07.2016 and had already suffered on account of delay as the order was passed on 21.06.2018 and the respondents held the DPC only after the applicant had retired. Thus, there was prima facie contempt, it is alleged.

3. Upon perusal it is seen that the DPC was held on 29.08.2018 and the name of the applicant figures at Sl. No.5 of the Officers found fit in the assessment year 2017-2018. Since the DPC had been held, no prima facie case of contempt is made out especially when no time limit was given to the respondents in the order of this Tribunal to conclude the process. This C.P. is therefore liable to be dismissed with liberty to the applicant to file a fresh OA seeking appropriate relief in the light of his fitness for promotion as assessed by the DPC in the year 2017-2018 if the relevant rules/instructions provide for promotion with retrospective effect along with financial benefits, if so advised.

(P. MADHAVAN)
MEMBER (J)

(R. RAMANUJAM)
MEMBER (A)

Asvs.

20.11.2018