

**Central Administrative Tribunal
Principal Bench**

CP No.552/2018 in OA No.2257/2017

New Delhi, this the 15th day of March, 2019

**Hon'ble Sh. Justice L. Narasimha Reddy, Chairman
Hon'ble Mohd. Jamshed, Member (A)**

Sh. Pawan Kamra
DANICS (Ad hoc), Group 'B',
Presently posted as SREO,
Directorate of Employment,
S/o. Late Sh. Raj Krishan Kamra
Aged about 58 years,
R/o. B-18, Suvidha Apartments,
Sector-13, Rohini,
Delhi – 110 085.

...Petitioner

(By Advocate : Shri Nilansh Gaur)

Versus

1. Sh. Anshu Prakash,
Chief Secretary,
Govt. of NCT of Delhi,
Delhi Secretariat, New Delhi.

2. Sh. R. L. Shrivastava,
DANICS (Retired),
Inquiring Authority
6th Level C-Wing,
Directorate of Vigilance,
Delhi Secretariat,
I.P. Estate, New Delhi.

...Respondents

(By Advocate : Shri Sameer Sharma)

ORDER (ORAL)**Justice L. Narasimha Reddy:-**

This Contempt case is filed alleging that the respondents have violated the interim order dated 17.09.2018 passed by this Tribunal in OA No.2257/2017.

2. Heard Shri Nilansh Gaur, learned counsel for the petitioner and Shri Sameer Sharma, learned counsel for the respondents. The interim order, passed by this Tribunal, reads as under:-

“Ms. Alka Sharma, learned counsel appearing for the respondents seeks and is allowed six weeks to file counter affidavit. Rejoinder, if any, within two weeks thereafter.

List on 02.11.2017. In the meantime, Enquiry Officer will not pass the final order.”

3. The applicant contends that despite this order, the inquiry officer proceeded to submit his report dated 28.05.2018. A perusal of the interim order, however, discloses that the intention of the Tribunal was that the final order in the proceedings be not passed. There is nothing to indicate that the inquiry officer was required not to submit his report.

4. The ambiguity that exists in the is a factor to be taken into account in the context of contempt case. Further, the OA itself has been disposed of by us today through a separate order. The contempt case is accordingly closed. There shall be no order as to costs.

(Mohd. Jamshed)
Member(A)

(Justice L. Narasimha Reddy)
Chairman

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