

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

**C.P. No.753/2018 In
O.A No. 3288/2018**

New Delhi, this the 18th day of January, 2019

Hon'ble Sh. V. Ajay Kumar, Member (J)
Hon'ble Ms. Aradhana Johri, Member (A)

Vinod Kumar (UDC),
S/o. Late Shri Baldev Prasad,
Age 54 years, Group-C,
Working as OS in C.G.H.S., Meerut, U.P.
R/o. 382/2, Subhash Nagar,
Meerut, U.P.

...Petitioner

(By Advocate : Mr. R. K. Sharma)

Versus

1. Ms. Preeti Sudun,
Secretary,
Ministry of Health & Family Welfare,
Nirman Bhawan,
New Delhi.
2. Sanjeev Kumar
Additional Secretary & Director General,
Directorate of CGHS,
Ministry of Health & Family Welfare,
Nirman Bhawan,
New Delhi.
3. Dr. Nirmal Baleger
Additional Director
CGHS, Suraj Kund Road,
Meerut (U.P.)

...Respondents

ORDER (ORAL)

Hon'ble Sh. V. Ajay Kumar, Member (J)

Heard the learned counsel for petitioner.

2. O.A No. 3288/2018 filed by the applicant was disposed of by this Tribunal by order dated 04.09.2018 as under :-

3. A bare perusal of the Annexure A/1 order dated 22.09.2017, quashing of which the applicant is seeking in the instant O.A., clearly indicates that the Union of India directed the Additional Director, C.G.H.S., Meerut to re-examine the matter of the applicant and to take a decision thereon, keeping in view the DoPT advice. Even, according to the applicant's counsel, till date no decision was taken by the Additional Director, C.G.H.S., Meerut, in pursuance of the impugned letter dated 22.09.2017.

4. In the circumstances, the O.A. is disposed of at the admission stage itself, without going into the merits of the case, by directing the 2nd respondent to take a final view on the claim of the applicant and to pass appropriate reasoned and speaking orders thereon, in accordance with law, within 90 days from the date of receipt of a certified copy of this order. No order as to costs.

Let a copy of the O.A. be enclosed to this order."

3. The applicant filed the instant C.P contending that the orders of this Tribunal have not been complied with and accordingly, the respondents are liable for Contempt of the orders of this Tribunal. However, it is noticed that Annexure A/3 to the Contempt Petition is a

speaking order passed by the 3rd respondent on 15.10.2018 in compliance of the orders of this Tribunal.

4. In the circumstances and in view of the substantial compliance of the orders of this Tribunal, the contempt petition is dismissed.

5. However, the applicant is at liberty to avail his remedies in accordance with law, if he is still aggrieved with the orders now passed by the respondents. No costs.

(Aradhana Johri)
Member (A)

(V. Ajay Kumar)
Member (J)

/Mbt/