

**Central Administrative Tribunal
Principal Bench, New Delhi**

C.P. No.595/2018 in O.A. No.2894/2018

Monday, this the 15th day of April 2019

Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. Pradeep Kumar, Member (A)

Shri Lalit Kumar
Village Naurang Pur
Sector 79, Gurugram, Haryana

..Applicant

(Mr. Mukesh Chander, Advocate)

Versus

1. Shri Hira Lal Samaria,
Secretary
Ministry of Labour, UOI
Chairperson, Standing Committee
ESIC, Shram Shakti Bhawan
New Delhi – 110 001

2. Shri Raj Kumar
The Director General
ESI Corporation, CIG Marg,
New Delhi – 110 002

..Respondents

(Mr. V K Singh, Ms. Prachi Singh and Ms. Nisha Singh,
Advocates and Mr. A S Singh, Advocate for Mr. R V Sinha,
Advocate)

O R D E R (ORAL)

Justice L. Narasimha Reddy:

This contempt case is filed alleging that the respondents did not implement the directions issued by this Tribunal in its order dated 02.08.2018 in O.A. No.2894/2018, as regards the completion of disciplinary proceedings initiated against the applicant.

2. The respondents filed a counter affidavit. It is stated that the disciplinary proceedings, at their level, were concluded and the matter was referred to the Union Public Service Commission (UPSC) for its advice. It is also stated that the file is pending with the UPSC and unless the advice is received, it would not be possible for them to take further steps.

3. In view of the recent developments in law, it is no longer necessary for the respondents – ESIC to seek advice of UPSC. We, therefore, close the contempt case and grant four weeks' time to the respondents to decide the issue by themselves.

4. In the order dated 21.12.2018, a cost of ₹5000/- was awarded. However, in view of the circumstances, which are reflected in the counter affidavit, we recall the said order and the costs are waived.

There shall be no order as to costs.

(Pradeep Kumar)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

April 15, 2019
/sunil/