

**Central Administrative Tribunal
Principal Bench**

**CP No.242/2017
in
OA No.1189/2012**

New Delhi, this the 1st day of February, 2019

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

K.K. Bhardwaj,
S/o Late Sh. Pyare Lal,
Aged about 49 years,
R/o J-253 Second Floor,
Saket, New Delhi-110017.

...Applicant

(By Advocate : Shri A.K. Behera)

Versus

1. Shri Rajiv Mehrishi,
Secretary,
Ministry of Home Affairs,
North Block, Central Secretariat,
New Delhi-110001.
2. Dr. Ish Kumar,
Director General,
National Crime Records Bureau,
East Block-7, R.K. Puram,
New Delhi-110066.
1. Shri Surendra Panwar,
Joint Director (Administration),
East Block-7, R.K. Puram,
New Delhi-110066.
2. Shri M.P. Sharma,
Assistant Director (Administration),
East Block-7, R.K. Puram,
New Delhi-110066.

...Respondents

(By Advocate : Shri Hanu Bhaskar)

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

The applicant filed OA No.1189/2012, feeling aggrieved by the ACR for the year 2005-06. The OA was allowed on 21.11.2014, directing that the respondents shall not take into account, the ACR for the year 2005-2006, for any purpose including the one for promotion or MACP.

2. This contempt case is filed alleging that the respondents did not give effect to the directions contained in the order of the OA.

3. Counter affidavit is filed on behalf of the respondents. It is stated that in compliance with the directions issued by the Tribunal, the applicant was extended the benefit of MACP through an order dated 11.05.2015, duly ignoring the ACR for the year 2005-2006. Reference is also made to other benefits that have been extended to the applicant.

4. Heard Shri A.K. Behera, learned counsel for applicant and Shri Hanu Bhaskar, learned counsel for respondents.

5. The relief granted in the OA was to the effect that the adverse ACR of the applicant for the year 2005-2006 be ignored. The respondents have categorically stated that the applicant was extended the benefit of 2nd MACP in the year 2015. Had the ACR in question been not ignored, it would not have been possible to extend such a benefit. Hence, the CP is closed. We, however, direct that it shall be open to the applicant to work out his remedies, as regards the conducting of Review DPC, for the post of Junior Staff Officer.

(Pradeep Kumar)
Member (A)

(Justice L.Narasimha Reddy)
Chairman

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