

**Central Administrative Tribunal
Principal Bench**

**CP No.230/2019
OA No.4700/2015**

New Delhi, this the 16th day of August, 2019

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

1. Sugam Arora, aged 41 years
D/o Shri R.D. Malhotra
Address – 35, SFS, DDA Flats,
Niti Bagh, New Delhi-49
2. Anita Singh aged 44 years
D/o Sh. S.S. Kanwar
Address – Qr. No. F-2976,
Netaji Nagar,
New Delhi-23
3. Simi Padmakaar Aged 45 years
D/o Sh. Ravindran Nair
Address – P.D. Pocket-284,
Dilshad Garden, Delhi-95
4. T. Kishore Singh aged 49 years
S/o Late T. Nagmal Singh
Address-E-18/F-3, Dilshad Colony
Delhi-95
5. Pankaj Kumar Sarkar aged 46 years
S/o Late Satish Chander Sarkar
Address-Qr. No. 10, Sector-9,
R.K. Puram, New Delhi
6. Chander Shekhar aged 46 years,
S/o Sh. Maharaj Kishan
Vill. & P.O.-Pataudi, Distt. Gurgaon
Haryana
7. Umesh Kumar aged 45 years
S/o Late Chand Ram
Address- H. No. 10, 3rd Floor,
Sahipur Village, Shalimar Bagh,
Delhi-88

8. Krishan Mohan Pandey aged 41 years
S/o Late B. Pandey
Address-Q. No. D-577, Netaji Nagar
New Delhi-23
9. Sajjan Pal aged 45 years
S/o Late Dhanpat Singh
Address- F-1/542, Dev Nagar
Karol Bagh, New Delhi-05
10. Pamela Halder aged 46 years
D/o Sh. P.N. Thakur
Address Block 23, 985, Baba Kharak Singh Marg
New Delhi-01
11. Manisha Rastogi aged 44 years
D/o Sh.. R.L. Dhawan
Address- Qr. No. 686, Laxmi Bai Nagar
New Delhi-23
12. Kavita Sharma Aged 44 years
D/o Sh. D.N. Sharma
Address 321, DJA Apartment, Plot No 1-A,
Sector-13, Dwarka,
Delhi-75
13. Uma Lohani aged 46 years,
W/o Sh. S.C. Lohani
Address H.No. 989, Sector-04
R.K. Puram, New Delhi
14. Sh. R.P. Kharwar aged 52 years
S/o Late Sh. Kisun Ram
Address: 2078, Lodhi Road Complex,
New Delhi-03
15. Pawan Kumar Sharma aged 50 years
S/o Late Sant Ram
Address Qr. No. 1619, Lodhi Road Complex
New Delhi-03
16. Rakesh Sharma aged 48 years
S/o Late J.S. Sharma
Address-423-B, Shakti Khand-1, Indirapuram
Ghaziabad, U.P.
17. Sanjay Sharma, aged 43 years
S/o Late V.N. Sharma
Address-F-II/447, Dev Nagar,

Karol Bagh,
New Delhi-05

18. Bharat Bhushan aged 58 years
S/o Late Bhagwan Dass
H.No. 210, Sector-7, Urban Estate
Gurgaon, Haryana
19. Anita Bhatt aged 42 years
W/o Sh. N.N. Bhatt
Address-404, Gaur Residency,
Chander Nagar, Ghaziabad
Uttar Pradesh
20. Neeraj Bhardwaj aged 53 years
S/o Late Girdhari Sharma
Address 276, Bagh Kare Khan, Kishan Ganj
Delhi-07
21. Kanwar Singh Panchal aged 51 years
S/o Late Sahib Singh
Address-Qr. No. 874, J-Block, Kali Bari Marg,
New Delhi
22. Deep Ram aged 56 years
S/o Late Baziru Ram
Address-H. No. 669, Sector -8,
R.K. Puram
New Delhi
23. Radha Ballabh aged 54 years
S/o Sh. Ramanand
Address-122, Lancer's Road, Timarpur,
Delhi-04
24. Uttam Singh aged 53 years
S/o Late Bachan Singh
Address-Qr. No. 86, Sector-04,
R.K. Puram, New Delhi
25. Urvi Purvesh Joshi aged 42 years
S/o Sh. H.J. Thaker
Address-38/3C, Sector-II, Gole Market
DIZ Area, New Delhi
26. S.N. Mishra, aged 58 years,
S/o Late Suresh Mishra
Address-C-3/253, Lodhi Colony
New Delhi

27. Pawan Kumar, aged 45 years
S/o Late J.C. Sharma
G-405, Nauruji Nagar,
New Delhi-29
28. Bir Singh Rana aged 55 years
S/o Late M.S. Rana
Address-Qr. No. 140, Sector-7,
R.K. Puram, New Delhi
29. Sunil Kumar aged 43 years,
S/o Late Roop Chand
Address- House No. 188, B-Block,
Gopal Nagar, New Delhi
30. Om Prakash aged 54 years
S/o Late Jodha Ram
Address-House No. 14, Block C-II, 1st Floor
Lodhi Colony, New Delhi-03
31. S.R. Kotiyal aged 54 years
S/o Sh. Mool Chand
Address-House No. 14, Block C-II,
First Floor, New Delhi-03
32. Rajeev Kumar aged 47 years
S/o Late B.R. Sharma
Upper Division Clerk,
H.No. 473, Saraswati Vihar
New Delhi-34
33. Ranjit Kaur Walia aged 42 years
W/o Sh. Arvinder Pal Singh
Address-16/49-A, Tilak Nagar,
New Delhi-18
34. Sh. Niranjana Prasad aged 47 years
S/o Shri Prasad
Address-Flat No. 18, Kaweri Tower,
Sector-04, Ghaziabad,
Uttar Pradesh. ... Petitioners.

(By Advocate : Mr. N. K. Singh for Mrs. Avnish Ahlawat)

Versus

Dr. C. Chandramouli
 Secretary
 Department of Personnel & Training
 Room No.112, North Block,
 New Delhi 110 001.

.Respondent

(By Advocate : Mr. Rajeev Kumar)

: O R D E R (ORAL) :

Justice L. Narasimha Reddy, Chairman:

The petitioners herein filed OA No.4700/2015 challenging as many as five office memoranda pertaining to the seniority on the post of Upper Division Clerks (UDC) working in the Central Secretariat Services (CSS). Their grievance was about the fixation of seniority. The OA was allowed through detailed order dated 09.01.2019 directing that none of the UDCs appointed against 2151 vacancies subsequent to year 2009 shall be placed above any of the UDCs appointed up to that date and they shall take seniority in accordance with their dates of appointment. The further direction was that the seniority and other benefits that accrued to the applicants up to 03.05.2012 shall remain intact and any proceedings that ensued adversely affecting the same, shall stand set aside.

2. This contempt case is filed alleging that the respondents have not implemented the judgment of the Tribunal.

3. On behalf of the respondents, it is stated that W.P. (C) No.5259/2019 was filed in the Hon'ble High Court of Delhi against the judgment in the OA, and that on 15.05.2019, an interim order was passed directing that; (a) the status quo as directed by the Tribunal vide its order dated 23.12.2015 shall continue to operate and (b) promotions, if any, made in the meantime, shall be subject to further orders in this petition. The same is said to have been reiterated in the order dated 08.08.2019 passed in W.P (C) No.8616/2019.

4. The nature of relief granted in the OA has been indicated above. This is not a case in which the order in the OA has become final or that the Hon'ble High Court did not divert any interim measure. Once the High Court passed an interim order, the question of entertaining the contempt petition does not arise. The applicants have to seek the relief in the pending writ petition. We, therefore, close the contempt petition.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

/pj/