

**Central Administrative Tribunal
Principal Bench**

**CP No.705/2018
In
OA No.3145/2017**

New Delhi, this the 08th day of July, 2019

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

Dr. D.K. Khare,
S/o Late Shri J.P. Khare,
DOB: 01.05.1958, Age : 60 years,
R/o OL-1/1301, ELDECO, Sector-93A,
NOIDA-20130, U.P.
Retired as Scientist-F/Director,
Ministry of New & Renewable Energy,
Block No.14, CGO Complex,
Lodhi Road, New Delhi-110003.

...Petitioner

(By Advocate : Shri R.V. Sinha)

Versus

1. Mr. Anand Kumar,
Secretary,
Ministry of New & Renewable Energy,
Block No.14, CGO Complex,
Lodhi Road, New Delhi-110003.
2. Mr. C. Chandramouli,
Secretary,
Department of Personnel & Training,
Ministry of Personnel, PG & Pensions,
North Block, New Delhi-110001.

...Respondents

(By Advocate : Shri Rajeev Kumar)

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

The applicant filed OA No.3145/2017, challenging the disciplinary proceedings initiated against him as well as the denial of promotion to the post of Scientist 'G'. The applicant retired from service by the time the OA was taken. It was disposed of on 13.07.2018, directing the respondents to extend the consequential benefits to the applicant. However, the contempt case is filed alleging that the respondents did not comply with the directions issued in the OA.

2. The respondents filed two compliance affidavits. An order dated 25.03.2019, is enclosed, where it is stated that the applicant is promoted to the post of Scientist 'G' w.e.f. 18.02.2016.

3. We heard Shri R.V. Sinha, learned counsel for applicant and Shri Rajeev Kumar, learned counsel for respondents.

4. The applicant was denied promotion while in service on account of pendency of disciplinary proceedings. However, a sealed cover procedure was

adopted. At a later stage, the disciplinary proceedings were dropped. Taking note of the same, the OA was disposed of, directing that the applicant be extended the consequential benefits. Though there is delay, the respondents have promoted the applicant on notional basis to the post of Scientist 'G' w.e.f. 18.02.2016, the date on which the junior of the applicant was promoted.

5. With this, the order in the OA stands complied with. The CP is accordingly closed.

There shall be no order as to costs.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

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