

**Central Administrative Tribunal
Principal Bench**

**CP No.80/2019
In
OA No.3249/2015**

New Delhi, this the 12th day of July, 2019

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

Dr. Sandeep Miglani,
CMO NFSG,
S/o Sh. Ramji Dass Miglani,
Aged about 51 years,
R/o Flat No.11, E1 Block,
Pocket 9, Sector 15,
Rohini, Delhi.

...Petitioner

(By Advocate : Shri Nilansh Gaur)

Versus

Vijay Kumar Dev,
Chief Secretary,
Govt. of NCT of Delhi,
Delhi Secretariat,
New Delhi-110002.

...Respondent

(By Advocate : Shri Amit Anand)

ORDER (ORAL)

Justice L. Narasimha Reddy, Chairman :-

This contempt case is filed alleging that the respondents did not implement the order dated 02.11.2018 passed by this Tribunal in OA No.3249/2015.

2. The applicant contends that the respondents filed WP(C) No.3132/2019 against the order in the OA and that the same is dismissed by the Hon'ble Delhi High Court on 21.05.2019. He further contends that there is absolutely no justification, in not implementing the order in the OA.

3. We heard Shri Nilansh Gaur, learned counsel for applicant and Shri Amit Anand learned counsel for respondents.

4. The Lt. Governor, Delhi, passed an order dropping the disciplinary proceedings, which were earlier initiated against the applicant. However, the successor Lt. Governor sought to revive the disciplinary proceedings. The OA was filed challenging the same. After examining the matter in detail, the Tribunal allowed the OA on 02.11.2018 and had set aside the proceedings impugned in the OA. The High Court dismissed the Writ Petition No.3132/2012 through its judgment dated 21.05.2019.

5. Except that the disciplinary proceedings which were sought to be revived against the applicant were set aside, no specific direction was issued by this Tribunal. The

applicant did not even mention that the respondents are in anyway trying to revive the disciplinary proceedings. His grievance is about the denial of promotion to the next higher post. That was not the subject matter of the OA.

6. Therefore, we close the CP, leaving it open to the applicant to pursue the remedies, in accordance with law.

There shall be no orders as to costs.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

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