

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH
(CIRCUIT BENCH AT SHIMLA)**

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C.P.NO.063/00041/2019 IN
O.A.No.063/01244/2018

Decided on: 08.11.2019

**CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J) &
HON'BLE MR. MOHD. JAMSHED, MEMBER (A)**

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V. Sekar

S/o Late Sh. G. Vaikundam,
R/o house No. 112/A, 1st Floor
Bogadi, village Mysore Karnatka,
A/P Central School for Tibetans,
Chotta Shimla, H.P.

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Petitioner/Applicant

(BY: MR. RAJESH KUMAR, ADVOCATE)

Versus

1. Ms. Reena Ray, Secretary, Ministry of Human Resource Development, Room No. 124-C Wing, Shastri Bhawan, New Delhi-110001, Government of India.
2. Sanjay Kumar, Director, Central Tibetans School Administration ESS ESS Plaza, Plot No. 1, Community Centre, Section-03, Rohini, Delhi (110085).
3. Santosh Kumar Singh, Principal, Central School for Tibetans, Chotta Shimla-171002, H.P.

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Respondents

**(BY : MR. NEERAJ KUMAR SHARMA, SR. ADVOCATE WITH
MS. RINKI KASHMIRI, ADVOCATE)**

ORDER (ORAL)
SANJEEV KAUSHIK, MEMBER (J)

1. The present Contempt Petition has been filed by the petitioner for non-compliance of the order dated 12.10.2018 in O.A. No. 063/01244/2018, vide which the claim was decided, on ad idem between the parties, by directing the respondents to decide the claim of the petitioner contained in representation, by passing a reasoned and speaking order in accordance with law, within a period of two months.

2. Heard learned counsel for the parties.

3. Learned senior Advocate, appearing for the respondents, submits that this C.P. has been rendered infructuous as the respondents have acceded to the request of the applicant and vide letter dated 7.11.2019, the authorities have informed him that the decision of Departmental Screening Committee (DSC), relating to grant of MACP to the petitioner, kept in sealed cover, will be opened within 10 days, as the competent authority is out of station. The case of the petitioner was that on the date when he became due for grant of indicated benefit, nothing was pending against him and DSC could not take cognizance of subsequent events to deny a benefit, which had vested in him on the basis of earlier service record, as on relevant date, there was nothing against him. Learned counsel for the petitioner argues that the very action of respondents in keeping the proceedings of DSC in sealed cover was illegal and as such order dated 21.9.2019, passed by respondents supporting such decision is per se illegal.

4. Be that as it may, the fact is that since the respondents have decided, as per communication dated 7.11.2019, which is taken on record, to open the sealed cover within a period of 10 days, we are of

the view that this C.P. stands satisfied and is closed as such. Notice issued is discharged. The respondents are directed to open the sealed cover procedure within the indicated period and consider the grant of due benefit to the petitioner accordingly.

5. Connected M.A. also stands disposed of as such.

(MOHD. JAMSHED)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

PLACE: SHIMLA
Dated: 08.11.2019

HC*

