

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

CONTEMPT PETITION (CIVIL) NO. 1696/2017

IN

SPECIAL LEAVE PETITION (CIVIL) NO. 7291/2017

NIRMAL KUMAR MAITY ...PETITIONER(S)

VERSUS

ARUNDHATI GHOSH & ORS. ...RESPONDENT(S)

ORDER

1. The present contempt petition has been filed alleging disobedience of the order of this Court dated 20th March, 2017 by which the Competent Authority was directed to pass orders in accordance with the order of the learned Central Administrative Tribunal dated 23rd September, 2016. The above order of the learned Tribunal is to the following effect:

"5. Accordingly we dispose of this O.A. as infructuous with

a direction to the Disciplinary Authority to take into consideration all the points which the applicant raised in his reply to the show cause notice, pass a reasoned and speaking order and conclude the proceedings as per rules. The interim order stands vacated."

2. According to the contempt petitioner, as no order had been passed by the Disciplinary Authority the order of this Court dated 20th March, 2017 has been violated.

3. A counter affidavit has been filed on behalf of the respondents stating that as far back as on 30th December, 2016 a consequential order has been passed by the Disciplinary Authority and although the same was sought to be served on the contempt petitioner, he had evaded service. Finally, on 1st May, 2017 a copy of the order dated 30th December, 2016 has been served on the contempt petitioner.

4. In view of the above position, we do not consider it expedient to continue to entertain the present Contempt Petition any further. The contempt petition is accordingly closed with liberty to the contempt petitioner to challenge the order dated 30th December, 2016 passed by the Disciplinary Authority before the appropriate forum, if he is so advised.

....., J.
(RANJAN GOGOI)

....., J.
(R. BANUMATHI)

NEW DELHI
JANUARY 05, 2018

ITEM NO.46

COURT NO.3

SECTION XVI

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

CONMT.PET.(C) NO. 1696/2017
IN
SLP(C) NO. 7291/2017

NIRMAL KUMAR MAITY

PETITIONER(S)

VERSUS

ARUNDHATI GHOSH & ORS.

RESPONDENT(S)

Date : 05-01-2018 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE RANJAN GOGOI
HON'BLE MRS. JUSTICE R. BANUMATHI

For Petitioner(s)

Mr. P.S. Das, Adv.
Mr. Sukesh Ghosh, Adv.
Mr./Ms. Shashi Kiran, AOR

For Respondent(s)

Mr. Maninder Singh, ASG
Mr. Anmol Chandan, Adv.
Mr. Balendu S., Adv.
Mr. Gurmeet Singh Makker, AOR

UPON hearing the counsel the Court made the following
O R D E R

The contempt petition is closed in terms of the signed order with liberty to the contempt petitioner to challenge the order dated 30th December, 2016 passed by the Disciplinary Authority before the appropriate forum, if he is so advised.

[VINOD LAKHINA]

AR-cum-PS

[ASHA SONI]

BRANCH OFFICER

[SIGNED ORDER IS PLACED ON THE FILE]