

IN THE SUPREME COURT OF INDIA  
INHERENT JURISDICTION

CONTEMPT PETITION (C)NOS. 1901-1903 OF 2017  
IN  
CIVIL APPEAL NOS. 572-574 OF 2017

RAVINDRA KUMAR SOOD

Petitioner(s)

VERSUS

GURDEEP SINGH & ORS.

Respondent(s)

O R D E R

Heard learned counsel for the parties.

This Court on the earlier occasion noted two issues that need to be answered by the respondents, vide order dated 02.04.2019.

The first was about the non-conducting of review DPC for promotion to the post of Assistant Engineer.

In response, the respondents have pointed out that repeated communications were sent to the petitioner to appear before the review DPC. However, it is the petitioner, who did not appear in the review DPC process – as he firmly believed that in review DPC, written test cannot be conducted. That was obviously a case of misconception and ill-advised. In other words, there is no violation committed by the respondents. In the circumstances, to give one more opportunity to the

petitioner, we call upon the respondents to notify the schedule for review DPC and send appropriate communication in that behalf and complete the review DPC process expeditiously.

The second point noted in the stated order dated 02.04.2019 is about the grievance made regarding non-payment of full consequential benefits in terms of order dated 12.01.2017. In response, it is pointed out by the respondents that the amount which was due and payable to the petitioner on the basis of his entitlement at the relevant time, has already been made over to the petitioner.

The petitioner, on the other hand, submits that the amount is not commensurate with the amount actually receivable by the petitioner. This plea is taken by the petitioner on the assumption that he is entitled for full consequential benefits as if he had succeeded in review DPC process and become eligible to be promoted notionally. This assumption is untenable.

In other words, it is not open to the petitioner to make grievance about lesser disbursement of consequential benefits on such assumptions and, in any case, that cannot be the cause for initiating contempt action.

If the petitioner has any grievance about the calculation, it will be open to the petitioner to take recourse to other appropriate remedies, as may be permissible in law, including to make representation to the competent authority which can be considered on its own merits.

We express word of gratitude for the able assistance given by Mr. M. Karpagavinayagam, learned Amicus Curiae and Mr. K.V. Muthu Kumar, Advocate-on-Record assisting him.

The contempt petitions are disposed of accordingly.

Pending applications, if any, stand disposed of.

.....,J.  
(A.M. KHANWILKAR)

.....,J.  
(HRISHIKESH ROY)

.....,J.  
(C.T. RAVIKUMAR)

NEW DELHI;  
September 02, 2021.

