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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 4767/2016**

RAMESH SINGH CHOUHAN

..... Petitioner

Through: Ms. Jyoti Singh, Sr. Adv. with Mr. Sameer Sharma
& Mr. Amandeep Joshi, Adv.

versus

JAWAHAR SIRCAR AND ANR

..... Respondents

Through: Mr. Rajeev Sharma, Adv.

CORAM:

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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24.05.2016

CM No.19873/2016(exemption)

Allowed, subject to all just exceptions.

Application stands disposed of.

W.P.(C) 4767/2016

1. Having heard learned counsel for the petitioner we are not inclined to interfere with the impugned order dated 2nd March, 2016 passed by the Principal Bench of the Central Administrative Tribunal in CP No.406/2014 in OA No.3030/2012.

2. The contention of the petitioner is that there is a violation of the direction given in the order dated 31.3.2014 disposing of OA No.3030/2012. The said direction reads:-

“5. In view of the stand taken by the learned counsel for the parties, the Original Application is disposed of with direction to the respondents to take a final decision on

the claim of the applicants in the present Original Application as expeditiously as possible preferably within a period of four months from the date of receipt of a copy of this order. In case the grievance of the applicant still subsists. It would be open to them to workout their rights in accordance with law and procedure. No costs.”

3. The Tribunal after referring to correspondence, notings and the stand of the respondents namely Jawahar Sircar, Chief Executive Officer and Director General Doordarshan, All India Radio, has opined that there has been substantial compliance of the said directions.

4. Learned counsel appearing for the petitioner has referred to letter dated 13th July, 2015. Thus, it is asserted that there is non-compliance of the order dated 31.3.2014.

5. Learned counsel for the respondents who appears on advance notice has drawn our attention to the speaking order dated 19th June, 2015. He submits that this order was issued by the respondent i.e. Director General of All India Radio in compliance with the directions of the Tribunal. He, however, states that subsequently correspondence was written in which the grievance of the petitioner has been forwarded with comments to the Ministry of Information and Broadcasting and the final decision would be taken by the said Ministry after consultation with the Department of Expenditure, Ministry of Finance. This is an internal communication.

6. Neither the Ministry of Information and Broadcasting nor Department of Expenditure, Ministry of Finance were parties to the

contempt petition. They were not parties to the OA. They are not parties to this writ petition. In view of the aforesaid position, we are not inclined to interfere with the impugned order. However, we clarify this order will not be construed as an order which will bar the petitioners from seeking any legal remedy in accordance with law.

7. With the aforesaid observations, the writ petition is dismissed.

SANJIV KHANNA, J

NAJMI WAZIRI, J

MAY 24, 2016/ak