

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.8831 of 2017

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1. The Union Of India, through the Secretary, Government of India Department of Youth Affairs and Sports, Shastri Bhawan, New Delhi.
 2. The Director General, Sports Authority of India, Jawahar Lal Stadium Lodhi Road New Delhi.
 3. The Secretary, Sports Authority of India, Jawahar Lal Stadium, Lodi Road Complex, New Delhi.
 4. The Director, Sports Authority of India, Netaji Subhash Eastern Centre, Salt Lake City, Kolkata.
 5. The Regional Director (Est.), Sports Authority of India, Netaji Subhash Eastern Centre, Salt Lake City, Kolkata.

.... Petitioners

Versus

Awadhesh Nath Tiwari, son of Sri Kaushal Nath Tiwari, resident of village – Sukroi, P.O. – Bakuchi, District – Dewaria (U.P.), presently posted as Groundman Sports Authority of India SAG Central, Muzaffarpur.

.... Respondent

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Appearance :

For the Petitioners : Mr. S.D. Sanjay, Addl. S.G.

Mr. Rajesh Kumar Verma, C.G.C.

For the Respondent/s : Mr. Sanjay Kumar Verma, Advocate

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

And

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD)

Date: 18-12-2017

Heard learned senior counsel for the Union of India assisted by Sri Rajesh Kumar Verma, learned Advocate on Record and learned Advocate representing the private respondent.

The Union of India has a reason to challenge the order dated 08.05.2012 passed in O.A. No. 813 of 2005 by the learned Central Administrative Tribunal, Patna Bench, Patna (hereinafter referred to as the “CAT”), because, according to



the learned senior counsel representing the Union of India despite there being a compliance of the order dated 08.05.2012 passed by CAT by passing a speaking order in terms of Annexure-9 to the writ application, a contempt proceeding has been initiated at the instance of the private respondent before the Tribunal giving rise to C.C.P.A. No. 50/0061/2013 for the alleged non-compliance with the order dated 08.05.2012. They have challenged the order dated 22.12.2016 passed in C.C.P.A. No. 50/0061/2013 separately which we will be dealing with while disposing of the writ application arising out of the said order.

In the present writ application, a limited issue has arisen for consideration on the issue as to whether or not the Union of India has passed an order in compliance of the order dated 08.05.2012 in O.A. No. 813/2005. If it is the stand of the Union of India that they have already complied with the order, and, therefore, no contempt would lie, then we are of the considered opinion that, at this stage, we are not required to go into the legality and validity of the order dated 08.05.2012, passed in O.A. No. 813/2005, nothing remains for adjudication in this writ application, because vide Annexure-9, the Union of India and its authorities, the petitioners, themselves claim to



have complied with the order.

The writ application is, accordingly, disposed off.

(Ajay Kumar Tripathi, J.)

Rajeev/-

(Rajeev Ranjan Prasad, J.)

AFR/NAFR	NAFR
CA V DATE	NA
Uploading Date	19.12.2017
Transmission Date	NA

