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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CONT.CAS(C) 206/2017 & CM APPL. 9612/2017

MANVIR SINGH YADAV

..... Petitioner

Through

Ms. Sweta Rani, Advocate

versus

C ARVIND, CHIEF SECRETARY, DELHI

JAL BOARD & ANR

..... Respondents

Through

Mr. Sumeet Pushkarna, Standing
Counsel for DJB.**CORAM:****HON'BLE MR. JUSTICE MANMOHAN****ORDER**

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09.03.2017

Present contempt petition has been filed alleging wilful disobedience of the judgment dated 9th September, 2016, passed by a Division Bench of this Court in W.P.(C) 7966/2016, whereby the respondents were directed to consider the case of the petitioner in light of the observations made by the Apex Court in *Avtar Singh v. Union of India & Ors.*, **JT 2016 (7) SC 300** within six weeks and pass a reasoned order.

Learned counsel for the petitioner states that despite the aforesaid order as well as petitioner's representation dated 19th September, 2016 requesting the respondents to comply with the aforesaid order, the respondents have not considered the case of the petitioner till date.

A perusal of the paper book reveals that the petitioner had initially approached the Central Administrative Tribunal [for short “CAT”] and being not satisfied with the order passed by the CAT, had filed a writ petition in which the order dated 9th September, 2016 was passed.

Since the order dated 9th September, 2016 amounts to modification of the order passed by the CAT, this Court is of the view that the petitioner has an alternative effective remedy by filing a contempt petition before CAT under Section 17 of the Administrative Tribunals Act, 1985. Accordingly, present petition and application are disposed of with liberty to the petitioner to file proceedings under Section 17 of the Administrative Tribunals Act, 1985. The rights and contentions of all parties are left open.

MANMOHAN, J

MARCH 09, 2017

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