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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CONT.CAS(C) 207/2017

AMIT KUMAR

Through

..... Petitioner

Mr. Saurabh Sharma, Advocate

versus

A C SHARMA, CHAIRMAN,
DSSSB & ANR.

Through

..... Respondents

Mr. Devesh Singh with Mr. Rajiv R.
Mishra, Advocates for R-1.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 5th August, 2016, passed by a Division Bench of this Court in W.P.(C) 3560/2016, whereby the writ petition preferred by the petitioner was partly allowed and the respondent No.1-DSSSB was directed to send the name of the petitioner to the respondent No.2-DJB as selected candidate for the post of Junior Engineer (Civil) within one month. The respondent No.2-DJB was directed to process the case and issue an appointment letter to the petitioner within a month thereafter.

Learned counsel for the petitioner states that respondents have not complied with the aforesaid order 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 5th August, 2016 was passed.

Since the order dated 5th August, 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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