

**HON'BLE SRI JUSTICE SURESH KUMAR KAIT
AND
HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI**

CONTEMPT CASE No.1893 of 2018

JUDGMENT: (Oral)

(Per Hon'ble Sri Justice Suresh Kumar Kait)

This contempt case is filed alleging violation of the directions of this Court in the order dated 13th June 2018, passed in W.P.No.17056 of 2018.

2. The respondents have placed before this Court, order dated 18th July 2018, contending that the directions of this Court have been complied with, whereas, the learned counsel for petitioner submits that the directions of this Court have not been properly complied with in terms of Regulation 5(2)(iii) of IAS (Appointment by Promotion) Regulations, 1955.

3. The fact remains that initially the petitioner filed O.A.No.189 of 2018 before the Central Administrative Tribunal, wherein, vide order dated 12th March 2018, the Tribunal directed to consider the case of the petitioner for promotion to IAS subject to his eligibility and seniority basing on the availability of vacancies for the years 2017 and 2018.

4. Being aggrieved, the petitioner filed writ petition No.17056 of 2018 before this Court. While disposing of the said writ petition, we directed the respondents to consider the case of the petitioner for

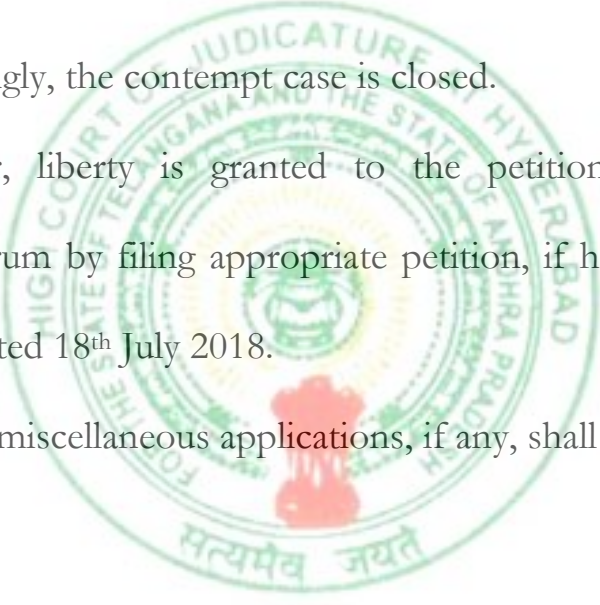
promotion to IAS under proviso to Regulation 5(2)(iii) of IAS (Appointment by Promotion) Regulations, 1955 subject to his eligibility and seniority, basing on the availability of vacancies for the years 2017 and 2018 and pass appropriate orders.

5. Admittedly, pursuant to the directions of this Court, order dated 18.07.2018 has been passed by the respondents. Thus, we are of the considered opinion that the respondents have not committed any contempt of Court.

6. Accordingly, the contempt case is closed.

7. However, liberty is granted to the petitioner to approach appropriate forum by filing appropriate petition, if he is aggrieved by proceedings dated 18th July 2018.

Pending miscellaneous applications, if any, shall stand closed.



SURESH KUMAR KAIT, J

7th September, 2018

ABHINAND KUMAR SHAVILI, J

ajr