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IN THE HIGH COURT OF DELHI AT NEW DELHI

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Judgment delivered on: 1st September, 2022

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W.P.(C) 12603/2022 & CM APPLS. 38203-05/2022

UNION OF INDIA AND ANR.

..... Petitioners

Versus

MANAS SHANKAR RAY

.... Respondents

Advocates who appeared in this case:

For the Petitioners:

Mr. Anil Soni, Central Government Standing Counsel with Mr. Devesh Dubey, Advocate.

For the Respondent:

Mr. S.K. Dubey, Advocate.

CORAM:-**HON'BLE MR JUSTICE SANJEEV SACHDEVA****HON'BLE MR. JUSTICE TUSHAR RAO GEDELA****JUDGMENT****SANJEEV SACHDEVA, J (ORAL)**

1. Petitioners impugn order dated 11.07.2018 whereby, the Original Application filed by the respondent has been allowed and the



appointing authority has been directed to implement the panel as approved by the Appointments Committee of the Cabinet (ACC) on 30.11.2017, insofar as it related to the respondent.

2. The said direction has been made subject to the condition that unless a contrary view was taken by the ACC.

3. It is noticed that on 11.10.2019, ACC has already taken a decision to treat the recommendation of the DPC dated 27.10.2017 for the panel of the year 2017-18 to be in a deemed sealed cover.

4. Learned counsel for petitioner submits that the respondent has also initiated contempt proceedings against the petitioner for not complying with the directions of the Tribunal. Learned counsel for petitioners submits that decision was to be placed before the ACC and the decision of the ACC has been communicated on 11.10.2019.

5. Learned counsel for respondent submits that respondent was never made aware of the order dated 11.10.2019 and he reserves the right of the respondent to initiate appropriate proceedings qua the same.

6. Keeping in view the fact that the ACC has already directed that the recommendation of the DPC dated 27.10.2017, which was directed to be implemented by the Tribunal, has been deemed to be kept in a sealed cover, no further cause survives for the petitioners to impugn the said order. We are of the opinion that the order of the Tribunal has been duly implemented, though belatedly.



7. In view of the fact that the order of the Tribunal has already been implemented by the petitioners, nothing further survives in this petition or in the contempt proceedings initiated by the respondent before the Tribunal.

8. With these observations, the petition is disposed of.

SANJEEV SACHDEVA, J.

TUSHAR RAO GEDELA, J.

SEPTEMBER 01, 2022

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