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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

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Date of Decision: 3rd March, 2025

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CONT.CAS(C) 536/2020 & CM APPL. 11293/2021

SH. RAJESH KUMAR

.....Petitioner

Through: None.

versus

SH. VIJAY KUMAR BIDHURI & ORS.

.....Respondents

Through: Mrs. Avnish Ahlawat, Standing
Counsel, GNCTD (Services) with
Mr. N.K. Singh with Ms. Laavanya
Kaushik, Ms. Aliza Alam,
Mr.Mohnish Sehrawat and Mr. Amitoj
Chadha, Advocates.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. None appears on behalf of the petitioner.
2. This Court has gone through the averments made in the contempt petition and also various previous orders.
3. Petitioner has sought initiation of contempt against respondents for wilful disobedience of order dated 13.08.2019 passed by learned Division Bench of this Court in W.P.(C) 1183/2018.
4. It is pertinent to mention that the abovesaid writ petition had been filed by Chairman-cum-Managing Director of DTC. DTC, in all such writ petitions, had assailed orders passed by learned Central Administrative Tribunal, Principal Bench, New Delhi.



5. The case of DTC was to the effect that various drivers had obtained employment in DTC on the strength of driving licences which were, eventually, found to be forged and fabricated. However, they were directed to be reinstated by the learned Tribunal.
6. It was in the abovesaid backdrop that all the abovesaid writ petitions were filed, challenging the abovesaid reinstatement with back wages.
7. Learned Division Bench of this Court disposed of all such writ petitions by permitting DTC to issue detailed *show-cause notices* to each such respondent and to any other similarly situated person. It also directed that the *show-cause notice* shall be accompanied with relevant documents and specific charges should also be set out appropriately and depending upon whether or not any response is received, petitioner DTC was directed to proceed further as per principles of Natural Justice.
8. As far as Rajesh Kumar, the sole petitioner herein, is concerned, pursuant to the abovesaid direction given by learned Division Bench of this Court, he was served with a fresh *show-cause notice* on 24.10.2019. The petitioner, even, filed a reply and vide order dated 12.02.2020 passed by DTC, the order of termination of his services was confirmed.
9. The present contempt petition seems to have been filed by petitioner contending that the *show-cause notice* had been issued relying upon false, misrepresented and misinterpreted facts.
10. Needless to say, the abovesaid assertion cannot be said to be falling within the scope of a contempt. In case, petitioner is aggrieved



by any such order, he can always challenge the same before appropriate forum, as he may be advised.

11. Ms. Avnish Ahlawat, learned Standing Counsel for respondents, however, divulges that things did not stop there as petitioner himself challenged the abovesaid confirmation order dated 12.02.2020 by filing an appeal before the Competent Authority and such appeal was rejected by the Competent Authority on the ground of limitation. Both such orders i.e. order dated 12.10.2020 and order dated 15.09.2020 were challenged by petitioner by filing Original Application bearing OA No.1466/2020 before the Tribunal.

12. Since the decision on the appeal was on a technical point i.e. it being barred by limitation, learned Tribunal allowed the abovesaid original application and set aside order dated 15.09.2020 passed by learned Appellate Authority and directed them to entertain such appeal and to decide it in accordance with law.

13. Thereafter such appeal was considered on merits and was rejected on 04.11.2020, by passing a speaking order.

14. Learned counsel for respondent submits that to the best of her knowledge and information, petitioner has not even challenged the abovesaid order dated 04.11.2020. She also submits that some such contempt petitions filed by other drivers, in the similar set of circumstances, have also been dismissed by this Court.

15. Be that as it may, though since there is no appearance from the side of petitioner and the petition can be *dismissed-in-default* and *for non-prosecution*, this Court, after considering the abovesaid facts, is left with no doubt about the fact that the petitioner has no case on merits



either.

16. In view of the above, the present contempt petition stands dismissed.

(MANOJ JAIN)
JUDGE

MARCH 3, 2025
st/pb