



2025:DHC:9564-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI*****Date of decision: 31.10.2025***

+ W.P.(C) 16575/2025
V BALASUBRAMANIANPetitioner
Through: Mr.Rajesh Kumar, Adv.

versus

UNION OF INDIA AND ANRRespondents
Through: Mr.Rajesh Gogna & Mr.Shivam
Tiwari, Advs.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA
HON'BLE MS. JUSTICE MADHU JAIN

NAVIN CHAWLA, J. (ORAL)

1. This petition has been filed, challenging the Order dated 29.05.2025, passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi in O.A. No. 3516/2024, titled ***V. Balasubramanian v. Union of India & Ors.***, whereby the learned Tribunal disposed of the said O.A. filed by the petitioner herein, seeking a direction to the respondent no.3 to transfer the petitioner from CGST Commissionerate, Meerut to CGST Commissionerate, Ghaziabad, with the following directions:

“7. We have considered the matter. In view of the above submissions and without expressing any opinion on the merits of the present case, we deem it just and proper that principles of natural justice will be met and hereby directs respondent No. 03/competent authority to consider and decide the representation dated



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19.09.2023 (Annexure A-1) of the applicant in accordance with office order 27.03.2018 specifically para 17 of the same and take a decision by passing a reasoned and speaking order within a period of 10 days from the date of receipt of certified copy of the order passed today.”

2. In purported compliance with the said direction, the respondent no. 3 passed a Speaking Order dated 30.06.2025, rejecting the representation dated 19.09.2023 of the petitioner.
3. The petitioner, claiming that the said representation, which was to be decided within a period of ten days, was kept pending with a *mala fide* intent till 30.06.2025, the date on which the petitioner was to superannuate from service, filed the Contempt Petition, being C.P. No. 596/2025 before the learned Tribunal.
4. The learned Tribunal dismissed the said Contempt Petition *vide* its Order dated 13.08.2025, which is also impugned before us in the present petition.
5. We may, at the very outset, note that insofar as the challenge to the Order dated 29.05.2025 is concerned, no ground of challenge has been set out in the present petition.
6. As regards the challenge to the Order dated 13.08.2025, although the learned counsel for the respondent, who appears on advance notice of this petition, raises a preliminary objection on the maintainability of the present petition, we, even otherwise, find no merit in the same.
7. The direction passed by the learned Tribunal in its Order dated 29.05.2025 has been reproduced hereinabove. Though the same



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directed the respondent no. 3 to decide the representation of the petitioner for seeking transfer within a period of ten days, in our view, in the peculiar facts of the present petition, merely on account of the delay in considering the said representation, the respondent no. 3 could not have been proceeded for contempt.

8. In any case, the contempt jurisdiction is a matter between the Court and the person against whom the allegation of contempt has been made. Once the learned Tribunal has found due compliance of its order, we would not like to interfere with the same in exercise of our powers under Article 226 of the Constitution of India.

9. We, therefore, find no merit in the present petition. The same is accordingly dismissed.

10. There shall be no order as to costs.

NAVIN CHAWLA, J

MADHU JAIN, J

OCTOBER 31, 2025/rv/hs