



2026:DHC:3556-DB



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

+ W.P.(C) 1915/2020 & CM APPL. 37653/2021

GOURAV KUMAR KATARA AND ANR.Petitioners
Through: Mr. Suresh Sharma, Adv.

versus

**SECRETARY, DEPARTMENT OR
PERSONNEL AND TRAINING AND ORS.Respondents**
Through: Mr. Premtosh K. Mishra, CGSC
with Mr. Shrey Sharma, Mr. Anubhav
Upadhyay and Mr. Arpit Bamal, Adv. with
Insp. Praveen Singh Rawat and ASI Babu
Lal Yadav

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

HON'BLE MR. JUSTICE OM PRAKASH SHUKLA

ORDER (ORAL)

23.04.2026

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C. HARI SHANKAR, J.

1. This writ petition assails the following order dated 10 January 2020 passed by the Central Administrative Tribunal¹ in CP 203/2019.

“Mr. Suresh Sharma, learned counsel appeared for the applicant. Mr Hanu Bhaskar, learned counsel appeared for respondents.

2.0 While MAs were being heard earlier, certain directions were passed on 25.02.2019 in MA No. 2308/2018. The same reads as under-

“The instant M.A is filed mainly seeking a direction to the respondents to furnish the copies of the relevant orders dated 11.11.2016 and 18.11.2016 pertaining to the

¹ “Tribunal” hereinafter



applicants no. 3 & 4. In the circumstances, we allow the M.A and direct the respondents to furnish the said relevant orders dated 11.11.2016 and 18.11.2016, if such orders are in existence, to the applicants' counsel within two weeks.

List the O.A under appropriate caption on 10.05.2019."

3.0 In compliance of these orders, the respondents supplied a copy of their office order no. 207/2016 dated 27/28.12.2016 which indicates that services of Shri Gaurav Kumar Katara, applicant no. 4, were dispensed with effect from 18.11.2016. Another office order no. 208/2016 dated 27.12.2016 was also supplied to the applicant which indicates that services of Shri Neeraj Kumar, applicant no. 3, were dispensed with effect from 11.11.2016.

4.0 The applicant pleaded that the respondents were required to supply the relevant orders dated 11.11.2016 and 18.11.2016. The orders for these two specific dates have not been supplied and instead orders issued on 27/28.12.2016 have been supplied. Accordingly, contempt is made out and applicant filed the instant contempt petition- 203/2019.

5.0 The respondents pleaded that the orders of relieving these two applicants, as were available, have since been supplied. Accordingly, there is no case for contempt.

6.0 Rival contentions have been heard. Since the orders dated 25.02.2019 have been complied with substantively, there is no case for contempt. The Contempt Petition is closed and notices are discharged. Accordingly, MA No. 4029/2019 which was filed in CP No-203/2019 also stands dismissed, without going into merits."

2. Having heard learned Counsel for the petitioner, we are frankly at a loss as to why this writ petition has remained pending for so long.

3. The only direction to the respondent, of which the petitioner alleged contempt, as is reflected in para 2.0 of the impugned order, was issued on 25 February 2019 in MA 2308/2019, whereby the respondent was required to furnish to the petitioner copies of Orders dated 11 November 2016 and 18 November 2016 *if they were in existence*.



4. The respondent has pointed out that there were no such orders of 11 November 2016 and 18 November 2016 in existence and that, in actual fact, Petitioners 1 and 2, who were Applicants 3 and 4 before the Tribunal, were relieved with effect from 11 November 2016 and 18 November 2016, *vide* Office Orders No. 208/2016 dated 27 December 2016 and 207/2016 dated 27 December 2016, both of which were provided to the petitioner. As such, it appears that the reference to the orders dated 11 November 2016 and 18 November 2016 in the order dated 25 February 2019 passed by the Tribunal in MA 2308/2019 was inadvertent and that, in fact, these were the dates on which the petitioners were terminated, *vide* Office Orders Nos. 208/2016 and 207/2016, respectively.

5. Mr. Sharma, learned Counsel for the petitioner, submits that the respondents had stated on oath that there were in fact orders dated 11 November 2016 and 18 November 2016. On a query from the Court as to where such a statement figured, he has referred us to para 4 in the reply filed by way of response to MA 854/2018, which reads thus:

“Para-4 That the averments made in this para are wrong and as such denied. It is humbly submitted that Applicants No.3 and 4 i.e. S/Shri Neeraj Kumar and Gaurav Kumar Katara, the then Assistant Programmers (On Contract basis) were worked in CBI, AC-I, Branch New Delhi and they were relieved w.e.f. 11.11.2016 and 18.11.201 respectively. Both the applicants have been paid their entitled remuneration amount till their date of relieving. The annual increment for the extended period of six months to them, is under process and will be paid to them shortly. Other averments in this para are matter of record.”

6. Clearly, Mr. Sharma is not correct in his submission that there



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was any statement on oath by the respondents of the existence of Orders dated 11 November 2016 and 18 November 2016. What para 4 stated is that the petitioners had been relieved *with effect from* the said dates. The Office Orders dated 11 November 2016 and 18 November 2016, whereby they were relieved with effect from 11 November 2016 and 18 November 2016, were provided to the petitioner. The communications whereunder the said documents were provided to learned Counsel for the petitioners are also on record.

7. Mr. Sharma has emphatically sought to contend that the Office Orders No. 208/2016 dated 27 December 2016 and 207/2016 dated 27 December 2016 which were supplied to him are fabricated.

8. That is a matter which cannot concern the contempt proceedings.

9. In that view of the matter, we see no error in the decision of the Tribunal to close the contempt proceedings.

10. The writ petition is dismissed.

C. HARI SHANKAR, J.

OM PRAKASH SHUKLA, J.

APRIL 23, 2026/AR