

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

ORDER SHEET

No. Of Adjournment : 7

COURT NO. : 2

13/07/2018

O.A./2575/2018

M.A./2859/2018

M.A./2860/2018

ITEM NO:6

FOR APPLICANTS(S) Adv. :

FOR RESPONDENTS(S) Adv.:

YOGESH KUMAR & OTHERS

-V/S-

M/O INFORMATION AND BROADCASTING

Dr. Ashwani Bhardwaj

Shri S.M. Arif for R-2 and R-3

Ms. Anupama Bansal for R-1

Notes of The Registry

Order of The Tribunal

Heard.

2. Admit. Issue notice to the respondents. Shri S.M. Arif, learned counsel put in appearance on behalf of respondent nos.2 and 3, and Ms. Anupama Bansal, learned counsel put in appearance on behalf of respondent no.1. Let reply be filed within four weeks. Rejoinder, if any, may be filed within two weeks.

3. Applicants also pray for interim relief, which is as under:-

"This Hon'ble Tribunal may kindly be pleased to stay the operation of the impugned order dated 26.06.2018, during the pendency of the present OA."

4. Counsel for the applicants submitted that the applicants filed OA No.2479/2015. The said OA was disposed of, vide Order dated 1.12.2017, with the consent of parties that prayer made in the said OA by the applicants was squarely covered by the earlier decision pronounced on 31.3.2016 in OA

NO.1118/2015 (Smt. Syamala Biswas vs. UOI & Ors.).

5. Counsel further submitted that since the applicants earlier granted the relief which was granted to the applicants of other OAs but the respondents have wrongly interpreted the said Order of disposal of the said OA in the light of the Order passed in the earlier OAs and then they passed the impugned order. The applicants pray for stay of said order as an interim measure. The applicants also approached the Hon'ble High Court and High Court disposed of the petition (W.P. (Civil) No.5168/2018) vide their Order dated 15.5.2018 and granted liberty to the applicants to approach the Tribunal against the action taken by the respondents in terms of the letter dated

31.1.2018. The High Court also directed the Tribunal to pass the order in accordance with law and the High Court also restrained the respondents from taking any coercive steps against the applicants therein, contrary to the spirit of the order dated 1.12.2017 passed in OA 2379/2015.

6. Counsel for the applicants further submitted that the applicants interest should be protected by passing the interim order.

7. Counsel for the respondents raised certain objections, first of all, in respect of applicant no.2 shown as Association but the said Association was not a registered association and the relief can only be granted to the person who joined personally in the present OA and not to the members of the said unregistered association as a whole.

8. Counsel further submitted that they may be granted some time to file their response to the interim relief prayed for in this OA after obtaining instructions from the respondents' department.

9. Issue notice to the respondents on interim relief also. They are directed to file their objection within two weeks.

10. However, in the meantime, respondents are restrained from taking any coercive steps against the applicants, who have joined in this application personally, barring the Association (applicant no.2) in the OA.

List it on 27.7.2018.

Order DASTI.

(PRAVEEN MAHAJAN)
MEMBER (A)

(JUSTICE DINESH GUPTA)
MEMBER (J)

/ravi/