

Central Administrative Tribunal  
Principal Bench

C.P. No.223/2003

In  
O.A. No.163/2002

New Delhi this the 15th day of September, 2003

**Hon'ble Smt. Lakshmi Swaminathan, Vice-Chairman (J)**

**Hon'ble Shri V.K. Majotra, Member (A)**

1. Prabir Kumar Dass  
NSO, Naval Headquarter,  
C-Wing, Sena Bhawan,  
New Delhi.
2. Sudhir Kumar Saxena  
ANSO-1  
Directorate of Aircraft Acquisition,  
Naval Headquarters,  
New Delhi.
3. G.V. Subramnaiam  
NSO  
SO-II (P&A), Office of Director General  
Naval Project, Naval based Post,  
Vishakhapatnam.
4. T.Dinesh Kumar  
NSO  
Naval Store Department, Naval Base,  
Southern Naval Command,  
Kochi.
5. D.Jayasimha  
ANSO-I  
Naval Headquarters,  
Directorate of Logistics Support,  
C-Wing, Sena Bhawan,  
New Delhi.
6. Kumar Narendra  
NSO  
Material Organisation, NAD Post,  
Vishakhapatnam.
7. Surjit Kumar  
ANSO-I  
Naval Headquarters,  
Directorate of Naval Air Material,  
A-Block Hutment, Dalhousie Road,  
New Delhi.
8. M.M. Varghees  
ANSO-I  
P.O. Box No.621, HADDO Post,  
Port Blair, Andmans.
9. R.S. Manjunath,  
ANSO-I, Naval Store Depot,  
Naval Base, Southern Naval Command,  
Kochi.

10. G.K. Nair, ANSO,  
B.V. Yard, Naval Base,  
Southern Naval Command  
Kochi.
11. R. Issac, ANSO-I  
Naval Store Depot, Naval Base,  
Southern Naval Command,  
Kochi.
12. P.M. Babu, NSO  
Flag Officer, Naval Aviation  
Vasco-De-Gamma, Goa.
13. K.K. Rajappa, ANSO-I  
Naval Store Depot, Naval Base,  
Southern Naval Command,  
Koshi.
14. C.P. Singh, NSO,  
Naval Headquarters,  
Directorate of Naval Air Material,  
A-Block, Hutmant,  
New Delhi.

-Petitioners

(None Present)

Versus

1. Shri Anjani Kumar  
Deputy Secretary to Govt. of India  
Ministry of Defence,  
New Delhi.
2. Shri Manoj Joshi,  
Officer on Special Duty (IC)  
Ministry of Finance and Co-Affairs, D/o Expenditure  
New Delhi.

-Respondents

(By Advocate: Shri B.K. Berera)

ORDER (Oral)

Hon'ble Shri V.K. Majotra, Member (A)

We are disposing of this Contempt Petition after hearing the learned counsel of respondents and considering the material available on record. OA-163/2002 was partly allowed vide order dated 18.12.2002 with the following observations/directions:-

"However, having regard to the ratio in P.V. Hariharan's case (supra) though we are of the view that applicants have been

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discriminated in the matter of accord of upgradation and higher pay scale w.e.f. 1.1.96 with their counter-parts DCIOs in IB, we partly allow this OA and set aside the orders passed by the respondents on 7.2.2001 and direct respondents to re-consider the issue of according upgradation to applicants w.e.f. 1.1.96 in the light of the observations made above and particularly the en bloc upgradation accorded to their counter-parts in IB. This exercise shall be done by passing a detailed and speaking order within a period of four months from the date of receipt of a copy of this order. If the respondents decide to accord them the benefit from 1.1.96 applicants shall be entitled to all consequential benefits. No costs".

2. Learned counsel of the respondents stated that respondents have passed detailed and speaking order in terms of the directions contained in Tribunal's order of 18.12.2002 on 27.2.2003 (Annexure-2). We are in agreement with the learned counsel of respondents that respondents have passed a detailed and speaking order in terms of the directions of this Tribunal and as such have not committed any deliberate and contumacious disobedience of the court's orders. The petitioners have also prayed in alternative for initiation of contempt proceedings ~~and that~~ a clear direction may be issued to the contemners to implement the Tribunal's orders dated 18.12.2002 which, too, cannot be allowed in view of the orders passed by respondents dated 27.2.2003.

3. Contempt Petition is dismissed. Notices to the alleged contemners are discharged. File to be consigned to the record room.

V.K. Majotra

(V.K. Majotra)  
Member (A)

Lakshmi Swaminathan

(Smt. Lakshmi Swaminathan)  
Vice-Chairman (J)