

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

C.P.NO. 11/2003 IN
O.A.NO.2437/2002

Tuesday, this the 25th day of March, 2003

Hon'ble Mrs. Lakshmi Swaminathan, Vice Chairman (J)
Hon'ble Mr. Govindan S. Tampi, Member (A)

1. Shri K.L.Sharma s/o Late Shri N.Mal
r/o T-147, Indra Colony, Narela, Delhi
retired on 31.12.2001 as Welfare Officer
from the Department of Social Welfare
Govt. of NCT of Delhi
2. Shri P.D.Napat, s/o late Shri Soni Lal
r/o 191, Saraswati Vihar Housing Board
Colony, Gurgaon, retired on 31.10.2001 as
Welfare Officer from the Department of
Social Welfare, Govt. of NCT of Delhi
3. Smt. Sushma Lal w/o Shri Har Govind Lal
r/o D-3/3181, Vasant Kung, New Delhi
retired on 31.12.2001 as Welfare Officer
from the Department of Social Welfare,
Govt. of NCT of Delhi

..Applicants

(By Advocate: Shri G.S.Gupta)

Versus

1. Govt. of NCT of Delhi through Chief
Secretary (Ms. Shailja Chandra)
Delhi Admn. New Secretariat Building,
IP Estate, New Delhi-2
2. The Secretary (Sh. P. Narainswami),
Department of Social Welfare, Delhi
Admn. New Secretariat Building, IP
Estate, New Delhi-2
3. The Director (Shri U.K.Vohra), Department
of Social Welfare, Govt. of NCT of Delhi,
1, Canning Lane, Kasturba Gandhi Marg,
New Delhi-1

..Respondents

(By Advocate: Shri Ashwini Bhardwaj, learned proxy
counsel for Shri Rajan Sharma, learned
counsel)

O R D E R (ORAL)

Hon'ble Mrs. Lakshmi Swaminathan, VC (J):-

Having regard to the orders of the Tribunal dated
19.9.2002 in OA-2437/2002 and the orders issued by the
respondents in compliance thereof dated 3.2.2003 and
5.3.2003, we are unable to agree with the contentions of
the learned counsel for petitioners that there is any

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(2)

contumacious or wilful disobedience of the Tribunal's order to the extent that they have done so far. However, we note the averments of the respondents in the order dated 5.3.2003, inter alia, that the Department has already started the process for reviewing the order dated 10.2.2001 and subsequent order dated 31.3.2002. Learned counsel for petitioners himself has submitted that this process of review is with regard to the ACP Scheme referred to in the aforesaid order of the Tribunal as Annexure A-6. He has submitted that certain other persons had been given the benefit of higher pay scale vide Annexure A-6 order, which has not been extended to the petitioners. However, we note that the respondents are in the process of reviewing these orders.

2. In the facts and circumstances of the case, we find no justification to punish the alleged contemnors for wilful or contumacious disobedience of the Tribunal's order, but we note that they have indeed delayed the process of implementation for which they have apologised. In the circumstances of the case, we accept the apology and dispose of this CP granting the respondents further two months to complete their review of the orders mentioned above in their own order dated 5.3.2003 and pass appropriate orders in the matter with intimation to the petitioners.

3. With the above observations, CP-11/2003 is disposed of. Notices to the alleged contemnors are discharged. File be sent to record room.

(Govindan S. Tampi)
Member (A)

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(Mrs. Lakshmi Swaminathan)
Vice Chairman (J)