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Central Administrative Tribunal
Principal Bench

CP No.595/2012
In
OA No.2173/2002

New Delhi, this the 16th day of January, 2013

Hon'ble Mr. Jog Singh, Member (J)
Hon'ble Mrs. Rajwant Sandhu, Member (A)

1. Shri Gurbaj Singh,
S/o Shri Narain Singh,
E-248, DDA Colony,
Khayala, New Delhi.
2. Shri G.M. Bhattacharya,
S/o Late Shri I.M. Bhattacharya,
E-997, Chittaranjan Park,
New Delhi-110019.
3. Ms. Sushma Suri,
W/o Shri M.K. Suri,
Qtr. No.155, Sector 1,
Sadiq Nagar, New Delhi.
4. Shri Alok Kumar Saxena,
S/o Shri S.R. Saxena,
H.No.50, Block-B,
Pkt.9, Sector-4, Rohini,
New Delhi-110085.
5. Ms. Rita Bhattacharya,
W/o G.M. Bhattacharya,
E-997, Chittaranjan Park,
New Delhi-110019.
6. Shri Anil Kumar Ohja,
S/o Shri Anil Kumar Ohja,
Q.No.537, Sector-1,
R.K. Puram, New Delhi.
7. Shri N.P. Singh,
S/o Late Shri Hari Singh,
H.No.393, Sector 12,
R.K. Puram, New Delhi.
8. Shri R.P. Sharma,
S/o Shri S.R. Sharma,
91, Parmath Apartment,
Vikarpuri, New Delhi.

...applicants.

(By Advocate : Ms. Seema Sharma for Shri S.G. Choudhary)

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Versus

1. Union of India,
Through Dr. T. Ramasami, Secretary,
Ministry of Science and Technology,
Technology Bhawan,
New Mehrauli Road,
New Delhi-110016.
2. Dr. Swarna Subba Rao,
Surveyor General of India,
Surveyor General Office,
Hathi Barkhala Estate, Dehradun,
Uttaranchal.respondents

(By Advocate : Shri Rajesh Katyal)

ORDER (ORAL)

Hon'ble Mr. Jog Singh, Member (J) :

The present Contempt Petition is moved by the applicants mainly against the action of the respondents in not granting consequential benefits including arrears etc. on account of grant of retrospective seniority as well as pay fixation under FR 22 (1) (1) (i) pursuant to the directions contained in order dated 13.2.2003 passed in OA No.2173/2002.

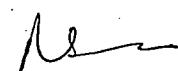
2. The learned counsel for applicants has drawn our attention towards para 7 of that order by which the respondents were directed to accord due seniority to the applicants on the basis of the earlier decision of this Tribunal dated 15.2.1999 in OA No.528/1993. There is also a direction to pay consequential benefits to the applicants. According to the learned counsel for applicants/contempt petitioners, the expression 'consequential benefits' duly includes arrears also on account of re-fixation of pay under FR 22 (1) (c) (i). It is also submitted by Ms. Seema Sharma that similarly situated applicants have been granted the benefit of arrears by including them in the consequential benefits on account of



grant of retrospective seniority in a similar manner. Therefore, the applicants feel discriminated in the matter of grant of arrears to them.

3. We have heard both the learned counsel for the parties and perused the reply filed by the respondents. We note that the issues which are being raised by the applicants in the present Contempt Petition can very well be raised in an OA, as we have limited jurisdiction in contempt proceedings. Accordingly, we are inclined to dispose of this CP with a liberty to the applicants to file a fresh OA, if so advised, regarding the remaining grievances, particularly, pertaining to the arrears.

4. In this background, with the aforesaid liberty, the Contempt Petition stands disposed of. Notices are discharged.



(Mrs. Rajwant Sandhu)
Member (A)



(Jog Singh)
Member (J)

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