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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

C.P.NO.509/2002 IN O.A.NO.1667/2002

Monday, this the 24th day of March, 2003

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

Shri V.L.Gulati
(By Advocate: Shri B.S.Jain)

...Petitioner

Versus

1. Shri Pawan Chopra
Secretary, Ministry of I & B
Shastri Bhawan, New Delhi-1
2. Shri S.Y.Qureshi,
Director General
All India Radio
Akashwani Bhawan
Parliament Street
New Delhi-1
3. Shri K.S.Sharma
CEO/Director General
Doordarshan
Mandi House, New Delhi

...Respondents

(By Advocate: Shri M.M.Sudan)

O R D E R (ORAL)

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

Heard Shri B.S.Jain, learned counsel for petitioner and Shri M.M.Sudan, learned senior counsel for respondents in CP-509/2002 in OA-1667/2002.

2. We have seen the Office Order No.41/2002-BA (E) dated 31.12.2002. Shri B.S.Jain, learned counsel has pointed out that the respondents were also required to take into account the OA as an additional representation made on behalf of the petitioner, before passing the necessary orders in terms of Tribunal's order dated 1.7.2002 in OA-1667/2002. He has submitted that apart from the fixation of pay under F.R. 22(1)(a)(i), which has been dealt with in paragraph 2 of the aforesaid

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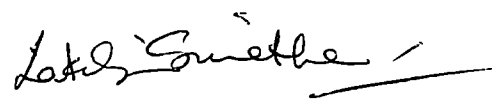
order, they had not said anything about the payment of arrears to the petitioner on his being appointed in the NFJAG grade of Rs.12000-16500/- w.e.f. 16.1.2001. He has pointed out that this was part of the claim in the OA which ought to have been dealt with by the respondents, which has not been done.

3. In the above facts and circumstances of the case, while it can be stated that the respondents have partly complied with the directions of the Tribunal in its order dated 1.7.2002, the above-mentioned issue raised by the learned counsel for petitioner in the OA, which was also to be considered by the respondents, has not been dealt with by them. In the circumstances of the case, while we are satisfied that the respondents have not wilfully or deliberately disobeyed the Tribunal's order, nevertheless they ought to pass an appropriate order with regard to the payment of arrears to the applicant on his being appointed in NFJAG grade w.e.f. 16.1.2001. This shall be done within a period of two months from the date of receipt of a copy of this order. We make it clear that if any arrear is due to the petitioner, the same shall be paid to him within this period.

4. With the above observations, CP-509/2002 is disposed of. Notices to the alleged contemnors are discharged. File be sent to record room.


(Govindan S. Tampi)
Member (A)

/sunil/


(Mrs. Lakshmi Swaminathan)
Vice Chairman (J)