

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

CONTEMPT PETITION NO.170/00091/2019

IN

ORIGINAL APPLICATION NO.170/01660/2018

DATED THIS THE 28TH DAY OF FEBRUARY, 2020

HON'BLE DR.K.B.SURESH, MEMBER (J)

HON'BLE SHRI C.V. SANKAR, MEMBER (A)

M. Vijaya Kamath
W/o Late C.N. Ramachandra
35, 9th "D" Main,
Byraveswaranagar,
Bangalore 560 072, Karnataka

....Petitioner

(By Advocate Shri N. Obalappa)

Vs.

1. Amit Khare,
Secretary,
Ministry of Information and Broadcasting,
'A' Wing, Shastry Bhavan,
New Delhi 110 001

2. Shri Shashi Shekar Vempati,
Chief Executive Officer,
Prasar Bharati Secretariat,
Tower 'C', Mandi House, Copernicus Marg,
New Delhi 110 001

3. Shri Sheheryar F
Director General,
All India Radio,
Akashvani Bhavan,
New Delhi 110 001

4. Smt Supriya Sahu, IAS,
Director General, Doordarshan,
Doordarshan Bhavan, Mandi House,
Copernicus Marg, New Delhi 110 001

5. Shri K. Tanuvalingam
Deputy Director General (E) & H.O.O
Doordarshan Kendra,
Swami Sivananda Salai,
Chennai 110 005

6. Shri G.C. Singh, Sr. Accounts Officer,
O/o The Pay and Accounts Officer, IRLS,
Ministry of Information & Broadcasting,
"A" Wing, Soochna Bhavan, 7th Floor,
Phase V, Lodhi Road, CGO Complex,
New Delhi 110 003

.....Respondents

(By Shri M.V. Rao and Shri S.M. Arif, Counsel for the Respondents)

O R D E R (ORAL)
(HON'BLE DR. K.B. SURESH, MEMBER (J))

In an earlier connected matter in CP N0. 170/00019/2019 we have passed the following order:

O R D E R (ORAL)
(HON'BLE DR. K.B. SURESH, MEMBER (J))

We heard the matter. Apparently our order was upheld by the Hon'ble High Court but it is also true that there are some other matters pending on the same nature in the Hon'ble High Court. Against our order a Review Petition was filed but unfortunately for the respondents herein it could not be taken up because the nature and combination of the Bench has changed and therefore it is not possible to be taken up now. Therefore, we had discussed the matter with the learned counsels. Since this is a matter to only grant certain financial benefit to the original applicant, the respondents have raised an issue that suppose they win in the Review Petition then, since the applicant is a retired person, it will be very difficult to recover the money back from him. This we think is a reasonable argument. Therefore, we had discussed with the learned counsels the possibility of the applicant providing a bank guarantee for the equivalent sum. Shri Obalappa, learned counsel for the applicant, is in agreement. Therefore, let the respondents inform the amount which will be due to him within the next two weeks. Within two weeks thereafter let the applicant produce

a bank guarantee to the satisfaction of the respondents along with an undertaking that this can be immediately withdrawn by the respondents if the Hon'ble High Court passes an order which will be against the interest of the applicant in terms of the proportion of the Hon'ble High Court judgment. Both these elements of activity shall be completed within the next one month.

2. Therefore, on this solemn undertaking from both sides, CP is dismissed but with liberty. Notices are discharged. No order as to costs.

Sd/-
(C.V. SANKAR)
MEMBER (A)

Sd/-
(DR.K.B.SURESH)
MEMBER (J)"

2. But in this case there is a distinction that Review Petition is also dismissed, but the thing is that, since it relates to some financial benefit to be given to the applicant, we can follow the principles which we have followed in the earlier case and in which the same persons are in the party array. Therefore, the applicant herein also will give a bank guarantee and, subject to any further proceedings, it can be accommodated at a later stage as otherwise the current benefit of having the money with him will be lost and going by the diminishing value of money, serious loss will be caused to the applicant.

3. Therefore, this CP is also disposed of as above with liberty. Notices are discharged. No order as to costs.

(C.V. SANKAR)
MEMBER (A)

(DR.K.B.SURESH)
MEMBER (J)

Annexures referred to by the applicant in CP No. 170/00091/2019

Annexure C1 Copy of the order dated 21.02.2019 in OA No. 1660/2018

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