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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

CP No. 110/2003 in  
OA 1335/2001

New Delhi this the 25th day of July, 2003

Hon'ble Smt. Lakshmi Swaminthan, Vice Chairman (J)  
Hon'ble Shri S.K. Naik, Member (A)

Shri S.K. Mathur,  
Ex. Chief Producer,  
under Director General,  
Doordarshan, presently  
R/O 211, Navilla Apartments,  
Mayur Vihar Phase-1, Delhi.

..Petitioners

(By Advocate Shri B.S. Mainee )

VERSUS

Union of India, through

1. Shri Pawan Chopra,  
Secretary,  
Ministry of Information and  
Broadcasting, Shastri Bhawan,  
New Delhi.

2. Shri S.Y. Qureshi,  
Director General,  
Doordarshan, Mandi House,  
New Delhi.

..Respondents

(By Advocate Shri S.M. Arif)

O R D E R (ORAL)


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

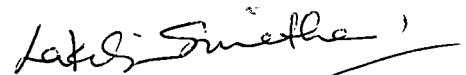
Heard both the learned counsel for the parties in CP  
110/203 in OA 1335/2001.

2. The main contention of Shri B.S. Mainee, learned  
counsel is that in spite of the respondents passing order  
dated 9.5.2003, which according to them is in compliance of  
Tribunal's order dated 9.9.2002, they are guilty of contempt  
of the Court orders. He has contended that as per the orders  
of the Tribunal contained in Para 12(i), after giving promotion  
to the petitioner and placing him in the higher grade, he is

also entitled to revision of pensionary benefits which have not been granted to them. This has been controverted by Shri S.M.Arif, learned counsel for the respondents who has submitted that not only clause (i) of Para 12 is relevant but clause (ii) of the same paragraph should also be read together. He has also submitted that under this clause <sup>the</sup> claim of the petitioner for granting the revised pensionary benefits has been withheld on account of the pending disciplinary proceedings which are left for the respondents to decide at the culmination of the disciplinary proceedings. It is not disputed by both the learned counsel for the parties that the disciplinary proceeding is pending against the petitioner who has retired from service w.e.f. 31.8.2000.

3. Taking into account the above facts and circumstances of the case, we see no merit in the submissions made by Shri B.S.Mainee, learned counsel that <sup>even</sup> at this stage, in spite of the specific direction of the Tribunal contained in Para 12 (ii) of the order, the applicant is entitled to revised <sup>13</sup> ~~the~~ pensionary benefits, based on the order passed by the respondents dated 9.5.2003. In this view of the matter, we find no justification to continue with this CP. CP 110/2003 is dismissed. Notices issued to the alleged contemners are discharged. File be consigned to the record room.

  
( S.K. Naik )  
Member (A)

  
(Smt. Lakshmi Swaminathan )  
Vice Chairman (J)

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