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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

C.P.NO.318/2002 IN  
O.A.NO.1664/2002

Tuesday, this the 22nd day of October, 2002

Hon'ble Shri Justice V S Aggarwal, Chairman  
Hon'ble Shri M P Singh, Member (A)

1. Shri RCP Singh, Senior Auditor (Retd.)  
O/O Controller of Defence  
Accounts (Border Roads)  
Nariana, Delhi Cantt.-10
2. Shri R.P.Shrotriya  
Senior Auditor  
O/O Controller of Defence  
Accounts (Border Roads)  
Nariana, Delhi Cantt.-10
3. Shri S.K.Gautam  
Senior Auditor  
O/O Controller of Defence  
Accounts (Border Roads)  
Nariana, Delhi Cantt.-10
4. Smt. Subhkirian  
Senior Auditor  
O/O Controller of Defence  
Accounts (Border Roads)  
Nariana, Delhi Cantt.-10
5. Smt. Sudha Rani Garg  
Senior Auditor  
O/O Controller of Defence  
Accounts (Border Roads)  
Nariana, Delhi Cantt.-10
6. Shri Surjeet Singh  
Senior Auditor  
O/O Controller of Defence  
Accounts (Border Roads)  
Nariana, Delhi Cantt.-10
7. Shri M.P.Parashar  
Senior Auditor  
O/O Controller of Defence  
Accounts (Border Roads)  
Nariana, Delhi Cantt.-10
8. Shri M.L.Khatri  
Senior Auditor  
O/O Controller of Defence  
Accounts (Border Roads)  
Nariana, Delhi Cantt.-10
9. Shri Rajey Ram  
Senior Auditor  
O/O Controller of Defence  
Accounts (Border Roads)  
Nariana, Delhi Cantt.-10



10. G.S.Shishodia  
Senior Auditor  
O/O Controller of Defence  
Accounts (Border Roads)  
Nariana, Delhi Cantt.-10
11. Shri P.K.Sakhooja  
Senior Auditor  
O/O Controller of Defence  
Accounts (Border Roads)  
Nariana, Delhi Cantt.-10
12. Shri Har Charan Dass  
Senior Auditor  
O/O Controller of Defence  
Accounts (Border Roads)  
Nariana, Delhi Cantt.-10
13. Shri Ganga Ram  
Senior Auditor  
O/O Controller of Defence  
Accounts (Border Roads)  
Nariana, Delhi Cantt.-10
14. Shri Mool Chand Sharma  
Senior Auditor  
O/O Controller of Defence  
Accounts (Border Roads)  
Nariana, Delhi Cantt.-10
15. Shri Rohtas Singh  
Senior Auditor  
O/O Controller of Defence  
Accounts (Border Roads)  
Nariana, Delhi Cantt.-10
16. Shri A.K.Sharma  
Senior Auditor  
O/O Controller of Defence  
Accounts (Border Roads)  
Nariana, Delhi Cantt.-10
17. Shri Lakh Pat Rai  
Senior Auditor  
O/O Controller of Defence  
Accounts (Border Roads)  
Nariana, Delhi Cantt.-10
18. Shri Azaib Singh  
Senior Auditor  
O/O Controller of Defence  
Accounts (Border Roads)  
Nariana, Delhi Cantt.-10
19. Shri Devendra Mohan  
Senior Auditor  
O/O Controller of Defence  
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20. Shri Ved Prakash  
Senior Auditor  
O/O Controller of Defence

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21. Shri Brahmanand  
Senior Auditor  
O/O Controller of Defence  
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Nariana, Delhi Cantt.-10
22. Shri T.P.Singh  
Senior Auditor (Retd.)  
O/O Controller of Defence  
Accounts (Border Roads)  
Nariana, Delhi Cantt.-10
23. Shri Jai Prakash  
Senior Auditor  
O/O Controller of Defence  
Accounts (Border Roads)  
Nariana, Delhi Cantt.-10
24. Shri Mool Chand Sharma  
Senior Auditor  
O/O Controller of Defence  
Accounts (Border Roads)  
Nariana, Delhi Cantt.-10
25. Shri S.K.Banik  
Senior Auditor  
O/O Controller of Defence  
Accounts (Border Roads)  
Nariana, Delhi Cantt.-10
26. Shri Sudesh Chander  
Senior Auditor  
O/O Controller of Defence  
Accounts (Border Roads)  
Nariana, Delhi Cantt.-10

(By Advocate: Shri E.J.Verghese)

..Applicants

Versus

1. Mr. A.K.Aggarwal  
Secretary  
M/o Personnel, Public Grievances  
& Pension, Deptt. of Personnel &  
Training, North Block, New Delhi-11
2. Dr. S.Narayanan  
Secretary  
Ministry of Finance  
Deptt. of Expenditure  
North Block, New Delhi-11
3. Mr. Subir Dutta  
Secretary, Ministry of Defence  
South Block, New Delhi-11
4. Mr. Biswajit Banerjee  
Controller General of Defence Accounts  
West Block V, R.K.Puram  
New Delhi-66

(4)

5. Mr. Amit Cowshish  
Controller of Defence Accounts  
Border Roads  
Nariana, Delhi Cantt.-10

..Respondents

O R D E R (ORAL)

Justice V S Aggarwal:

This Tribunal on 11.4.2002 had disposed of OA-1664/2001. The same was allowed and the operative part of the order reads:-

"4.. Accordingly, the present OA is allowed with a direction to the respondents to implement the decision of the applicants in the present OA. We also direct the respondents to implement the aforesaid direction within a maximum period of three months from the date of receipt of a copy of this order."


2. The appliacnt has filed the present Contempt Petition contending that the respondents have disobeyed the directions of this Tribunal and the said decision has not been implemented.


3. However, during the course of submissions, our attention has been drawn towards the order passed by the High Court of Delhi dated 18.9.2002 in CW-5927/2002. It is not in dispute that decision of this Tribunal had been challenged by virtue of the above said Writ Petition. The operation of the order passed by this Tribunal had been stayed, except that it has been directed that the pay for the month of October, 2002 onwards would be as per the judgement of this Tribunal and such payments shall be subject to the final out come of the Writ Petition pending in the High court.

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4. It is not in controversy that payment for the month of October, 2002 would only be made on 31.10.2002. The petition, therefore, has become infructuous because as yet the said cause has not arisen. Therefore, as for present, rule is discharged.

  
(M P Singh)  
Member (A)

  
(V S Aggarwal)  
Chairman

/sunil/