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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

C.P. NO.345/2002 IN O.A. NO. 947/2001

Tuesday, this the 26th day of November, 2002

Hon'ble Shri S.A.T. Rizvi, Member (A)
Hon'ble Shri Shanker Raju, Member (J)

Mohinder Kumar
s/o Shri Nabhu Singh
r/o K-985, Jahangir Puri,
Delhi-33

..Applicant

(By Advocate: Shri S.K.Gupta)

Versus

1. Shri A.Kharakwal
Director
Postal Services
Delhi Circle
Megh Doot Bhawan, New Delhi
2. Dr. V.Kumari
Sr. Superintendent of Post Office
New Delhi South - East Division,
New Delhi

..Respondents

(By Advocate: Shri R.P. Aggarwal)

O R D E R (ORAL)

Shri S.A.T. Rizvi:-

Heard.

2. By an order passed on 27.8.2001 in OA-947/2001, the respondents were directed to re-fix the pay of the petitioner in terms of the 5th CPC's recommendations. A further direction was given to the respondents to review the case of the petitioner with regard to the enhancement of subsistence allowance.
 3. We are given to understand that while the respondents have already passed orders re-fixing the pay of the petitioner in accordance with the 5th CPC's recommendations, they are yet to pass orders in full compliance of the directions in regard to the enhancement of subsistence allowance.
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4. We have perused the order dated 23.8.2002 (R-1) already passed by the respondents in partial compliance of the aforesaid directions regarding enhancement of subsistence allowance. We find that the aforesaid order has been passed in line with the provisions of F.R. 53 (1) (ii) (a). The learned counsel appearing on behalf of the petitioner submits that since the period of suspension has been unduly prolonged, the respondents ought to have proceeded in the matter in accordance with the provisions of F.R. 53 (1) (ii) (a) (i). The learned counsel appearing on behalf of the respondents submits that the respondents are actively considering passing of orders in accordance with the aforesaid provisions and for this, he seeks two weeks' time. We are inclined to allow the time sought for the purpose of full compliance of the directions of this Tribunal. The respondents are accordingly directed to pass orders wholly in accordance with the provisions of F.R. 53 (1) (ii) (a) (i) latest by 15.12.2002.

5. In the light of the foregoing, the Contempt Petition is disposed of. Notices issued are also discharged. In the event, the orders to be passed by the respondents as above are found by the petitioner to be adverse to him, he will have the liberty to take appropriate action in accordance with law.

S. Raju
(Shanker Raju)
Member (J)

/sunil/

S.A.T. Rizvi
(S.A.T. Rizvi)
Member (A)