

October 21, 2005  
CP 413/2005 in OA 1191/2001

Present: Shri R.S. Rai for Shri L.B. Rai, counsel for applicant

Learned proxy counsel heard. Vide order dated 7.5.2002, OA-1191/2001 was allowed with the following observations/directions:-

"14. Thus this administrative action on the part of the respondents fixing the salary of those appointees at a higher stage definitely discriminate the petitioners as equals have been treated in an unequal manner. Thus there is clear violation of fundamental rights as enshrined in Articles 14 and 16 of the constitution of India so we have no hesitation to allow the OA. Accordingly, we allow the OA and direct the respondents to re-examine the case of the applicants and those applicants who had been appointed prior to 6.1.1994 their pay should be fixed at par with their juniors and whatever criteria had been adopted to give increments to those applicants that may be applied to all the applicants. This may be done within a period of 3 months from the date of receipt of a copy of this order. No costs."

Thereafter the respondents carried the matter to the Hon'ble High Court of Delhi through CWP-5271/2003, which was dismissed on 24.9.2003. An SLP (SLP-4079/2004) against the High Court's order too was dismissed on 15.10.2004. It is alleged that respondents have yet not complied with the directions of this Court.

The contempt petition is converted into an application for execution of Tribunal's directions under Section 27 of Administrative Tribunals Act, 1985. Issue notice to the respondents to file their reply within four weeks. Two weeks thereafter for rejoinder, if any. List on 9.12.2005 before the Deputy Registrar for completion of pleadings.



(Mukesh Kumar Gupta)  
Member (J)

/sunil



(V.K. Majotra)  
Vice Chairman (A)