

CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH

C.P.No. 305/99

IN

OA No. 1541/99

New Delhi: this the 18th day of DECEMBER, 2000.

HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A).

HON'BLE DR. A. VEDAVALLI, MEMBER (J)

Y. K. Mehta,
Video Executive,
Doordarshan Kendra,
New Delhi

...Applicant.

(Applicant in person)

Versus

1. Shri Y.N. Chaturvedi,
Secretary to the Ministry of Information & Broadcasting
Govt. of India,
Shastri Bhawan,
New Delhi-1
2. Shri R.R. Shah,
Chief Executive Officer,
Prasar Bharati,
(Broadcasting Corporation of India),
Mandi House,
New Delhi-1
3. Shri K.N. Pandey,
Addl. Director General, Doordarshan
Mandi House,
New Delhi-1
4. Shri T.R. Malakar,
Deputy Director General,
Doordarshan
Mandi House,
New Delhi-1
5. Shri K. Tlangthanga,
Deputy Director General,
Doordarshan Kendra,
New Delhi-1
6. Shri S.K. Mathur,
Chief Producer,
Doordarshan Kendra,
New Delhi-1

.....Respondents.

(By Advocate: Shri H.K. Gangwani)

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ORDER

S.R. Adige, VC(A)

Heard both sides on CP No. 305/99 alleging contumacious non-compliance of the Tribunal's order dated 24.8.99 in OA No. 1541/99.

2. Applicant's grievance in that OA was against the communication of adverse remarks in his ACR for the period 1.4.97 to 31.3.98 by letter dated 27.1.99, and non-consideration of his representation dated 8.2.99.

3. That OA was disposed of with a direction to the competent authority in respondents department to consider applicant's representation dated 8.2.99, after giving him an opportunity for personal hearing and dispose of the same under intimation to him, within one month from the date of receipt of a copy of the order. In case applicant's request was agreed to, it was stated that he would be entitled to such consequential reliefs as flowed therefrom in accordance with rules and instructions.

4. Pursuant to the above, respondents issued letter dated 19.11.99 expunging the adverse remarks for the period 1.4.97 to 31.3.98 and Shri Gangwani has stated at the bar that applicant has also been promoted as Chief Producer in April, 2000 on adhoc basis with effect from the date his immediate junior one Shri Srivastava was so promoted in July, 1999.

5. Applicant is however claiming arrears of pay and allowances consequent to the aforesaid promotion on adhoc basis.

6. In the light of the Hon'ble Supreme Court's ruling in J.S. Parihar Vs. G. Duggar & Ors. JT 1996(9) SC 608, respondents' order granting applicant promotion as Chief Producer on adhoc basis w.e.f. July, 1999 gives applicant a fresh cause of action, while it is open to him to agitate separately in accordance with law, if so advised.

7. Giving liberty to applicant as aforesaid, these contempt proceedings are dropped and notices are discharged.

A. Vedavalli
(DR. A. VEDAVALLI)
MEMBER (J)

S. R. Adige
(S. R. ADIGE)
VICE CHAIRMAN (A).

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