

2  
(1)

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

C.P. NO. 19/1996  
in  
O.A. NO. 2560/1994

New Delhi this the 25th day of January, 1996.

HON'BLE SHRI N. V. KRISHNAN, ACTING CHAIRMAN  
HON'BLE SMT. LAKSHMI SWAMINATHAN, MEMBER (J)

Shri P. L. Gaba S/O Nanak Chand,  
R/O 1059, Patel Gali No.1,  
Gandhi Nagar, Delhi-31. ... Applicant

( By Shri S. C. Luthra, Advocate )

-Versus-

Shri P. L. Naresh,  
Land & Development Officer,  
Nirman Bhawan,  
New Delhi. ... Respondent

O R D E R (ORAL)

Shri N. V. Krishnan, Acting Chairman —

A direction was given on 23.5.1995 based on certain orders passed in O.A. No. 405/91 directing the respondent to re-fix the pay of the applicant on promotion as Superintendent in the year 1984 on the same basis, and after re-fixing the notional pay from the date of promotion, arrears from 1.9.1985 till the date of retirement would be allowed and retirement benefits would be recomputed.

2. The learned counsel for the applicant states that the respondents have passed an order at Annexure CP-3. He says that this is contrary to the rules. We have heard him. We are of the view that in case the applicant is aggrieved by the manner in which his pay has been fixed, that cannot be a subject matter of contempt in the light of the above directions. Therefore, this petition does not lie.

✓

3  
12

We, therefore, dismiss it preserving liberty of the applicant to challenge the order of re-fixation of pay and other reliefs granted on that basis in appropriate proceedings, as may be advised.

*Lakshmi Swaminathan*

( Smt. Lakshmi Swaminathan )  
Member (J)

*N. V. Krishnan*  
23/11/86

( N. V. Krishnan )  
Acting Chairman

/as/