

CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH

C.P. No. 41/2000

IN

OA No. 68/95

New Delhi: this the 17 day of November, 2000.

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

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

Association of Examiners,
Muradnagar Ordnance Factory,
Muradnagar

.....Applicants.

(By Advocate: Shri B.S.Mainee)

Versus

Union of India

through

1. Shri D.Rajgopalan,
Chairman,
Ordnance Factory Board,
Calcutta.

2. Shri K.P.Singh,
General Manager,
Ordnance Factory,
Muradnagar.

..... Respondents.

(By Advocate: Shri S.M.Arif)

ORDER

Mr. S.R.Adige, VC (A)

Heard both sides on C.P.No.41/2000 alleging contumacious non-compliance of the Tribunal's order dated 9.9.99 in OA No. 68/95.

2. By that order dated 9.9.99 respondents had been directed to consider applicants for promotion to the grade of Highly Skilled Grade II (Rs.330-450 pre revised) with effect from the date their juniors were so promoted. These directions were to have been implemented within 3 months from the date of receipt of a copy of the order.

3. Respondents had filed an RA seeking review of

that order dated 9.9.99 which was dismissed on 23.12.99. Thereafter they filed an MA for extension of time.

4. Meanwhile they have issued orders dated 23.3.2000 (Annexure-R-1, R-II and R-III) in compliance of the Tribunal's order dated 9.9.99.

5. Shri Mainee has however contended that as those junior to the applicants were initially promoted on 20.7.91, even if their date of promotion was subsequently changed to a later date, applicants should be granted consequential benefits including financial benefits from 20.7.91 and not from that later date, and by not doing this, respondents are guilty of contempt.

6. Respondents deny these assertions and state that they have complied strictly with the Tribunal's order dated 9.9.99.

7. We have considered the rival contentions.

8. We note that respondents in their reply have given details of the manner in which the seniority has been recast in respect of each of the applicants pursuant to the Tribunal's order dated 9.9.99. Prima facie this represents compliance of the Tribunal's aforesaid order and respondents have themselves stated in their reply that if there is any lacuna still pending, the same can be attended to by them, if it is brought to their notice by the applicants.

9. In any case, there was nothing in the Tribunal's order dated 9.9.99 requiring respondents to grant applicants the financial benefits from 20.7.91.

10. The C.P. is therefore dropped. Notices are discharged.

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

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

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