

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

CP No.214/99 in OA No.9/97

New Delhi, this 16th day of November, 1999

Hon'ble Shri S.P. Biswas, Member(A)
Hon'ble Shri Kuldip Singh, Member(J)

Indian Defence Estates Service
Technical Staff Association, through
its General Secretary
DG/Defence Estates, M/Defence
West Block IV, R.K.Puram, New Delhi .. Petitioner

(By ~~Shri~~ D.D. Khurana, petitioner in person)

versus

1. Shri T.R. Prasad
Secretary
M/Defence, South Block, New Delhi
2. Shri R.P. Sehgal
Director General, Defence Estates
M/Defence, R.K.Puram, New Delhi .. Respondents

(By Shri H.K. Gangwani, Advocate)

ORDER(oral)

Hon'ble Shri S.P. Biswas

Petitioner in person draws our attention to page 4 of the order of this Tribunal in OA 9/97 decided on 12.9.97. The order mentions as hereunder:

"Since the respondents have not taken any decision in this regard and the recommendations of the Fifth Pay Commission have not yet been implemented, the respondents are directed to decide this matter within eight weeks after the implementation of the Fifth Pay Commission's recommendations have become final and intimate the petitioners the result of the said decision in the light of the observations made hereinabove. In case the petitioners are further aggrieved, they are entitled to approach the appropriate forum for remedy."


2. It is apparent that the respondents were directed to decide the matter within a period of eight weeks after the implementation of the 5th Pay Commission have become final. It is with reference to the aforesaid order

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that the respondents vide their affidavit filed on 5.11.99 have indicated the actions taken by them in respect of the orders given by this Tribunal. The position in respect of the respondents' stand pertaining to the compliance of our order is at page 2-3 of the affidavit filed by the Director General/Defence Estates on 5.11.99. The petitioner still feels aggrieved because he has not received the affidavit. The scope of this contempt petition is limited to the extent that the Tribunal is to satisfy itself if there is substantial compliance of its orders. Based on the detailed^s provided by the respondents in their counter, we find that they have taken a conscious decision in respect of their stand for revision of the pay scale. In fact, the order itself mentions that in case the petitioners are further aggrieved, they are entitled to re-agitate the issue at the appropriate forum. It is, therefore, evident that the petitioner will have to approach the appropriate forum if they still feel aggrieved.

3. In the light of the details aforesaid, the CP is dismissed and notice^s discharged.
A and

(Kuldip Singh)
Member(J)


(S.P. Biswas).
Member(A)

/gtv/