

Central Administrative Tribunal Principal Bench

C.P. No. 7 of 2001

in

O.A. No. 2464 of 1996

New Delhi, this the day of 29th March, 2001.

HON'BLE MR. V.K. MAJOTRA, MEMBER(A)

HON'BLE MR. SHANKER RAJU, MEMBER(J)

Shri Liloo Singh,
S/o Shri Bhola Singh
B-189(Hut), Bhikam Singh
Colony, Sahadra, Delhi 34.
working as Sewerman in Civil
Construction Wing (Min. of I & B)
P.T.I. Building, Parliament St.,
New Delhi. ...Petitioner
(By Advocate: Shri T.C.Aggarwal)

Versus

Shri K.M. Paul, Chief Engineer,
Civil Construction Wing
(Dte. General of A.I.R.)
P.T.I. Building, 2nd Floor,
Parliament Street, New Delhi-1. ...Respondents
(By advocate: Shri Anamul Haque proxy
counsel of Shri R.V.Sinha)

ORDER (Oral)

By Shri V.K. Majotra, Member(A).

Vide order dated 27.4.2000 in OA2464/1999(Annexure
P-4) the following directions were issued to the respondents:-

"Having regard to the above discussion and reasons, we are convinced that the applicant who is a Sewerman in CCW AIR should also be accorded the same treatment for matter of pay and allowances as his counter part in CPWD. Similarly, he must also get the benefits of revision in pay and allowances from time to time in terms of Annexure A-2. The respondents are therefore directed to sanction the revised pay and allowances to the applicant by applying the same principles, terms and conditions as enunciated in Memo dated 20.12.93, Annexure A-1. However, claim of interest of the applicant is rejected. The respondents should take the necessary action within a period of 3 months from the receipt of the copy of this order. No order as to costs."

(Signature)

2. The respondents were issued notice under the provisions of the Contempt of Court Act, 1971 for not having implemented the directions of the Tribunal within the extended stipulated period.

3. We have heard the learned counsel of both sides. Shri T.C. Aggarwal, learned counsel for the petitioner contended that compliance of the directions of the Tribunal was extended up to 27.11.2000. However, whereas the respondents issued office order on 6.2.2001 in compliance of the order of the Tribunal, the consequential arrears amounting to Rs.76848/- were paid to the applicant on 13.3.2001. The learned counsel stated that there has been a delay of four months in payment of arrears of Rs.76848/-. Whereas vide order 16.2.2001, the respondents have given specific dates and specific stages of pay in pay scales which have been allowed to the applicant, if any grievance still remains ^{on calculation of his dues} ~~he~~ he would be at liberty to approach the Tribunal afresh.

4. The respondents, in their counter, have stated that the delay caused by them towards passing of the order fixing the pay of the applicant as well as payment of arrears of pay has not been deliberate or intentional. The reason for ^{delay} ~~which~~ was that noticee was not the competent authority to take decision involving revision of pay scale and thus the matter had been referred to the Ministry which took time in conveying the approval. The respondents have also furnished unconditional apology in regard to ^{delay} ~~the~~ delay towards implementation of court's order. We are ~~not~~ not satisfied by the reasons stated by the noticee. In this regard, we deprecate the action of the noticee.

(Signature)

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5. Having regard to the above reason and discussions the order dated 27.4.2000 having been complied with by the respondents, now the notice^{issued} against the noticee is discharged and the CCP is dismissed. No costs.

S. Raju
(Shanker Raju)
Member(J)

V.K. Majotra
(V.K. Majotra)
Member(A)

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