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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

CP 216/2001
OA 1567/96

New Delhi, this the 18th day of July, 2001

HON'BLE SHRI GOVINDAN S. TAMPI, MEMBER (A)
HON'BLE SHRI SHANKAR RAJU, MEMBER (J)

1. Saroj Malhotra
7/12, Subhash Nagar, New Delhi.
2. Smt. Usha Bajaj, 3178, Mahendra Park, Rani Bagh, Delhi.
3. Smt. Amarjeet Banga
31/12, Ashok Nagar, New Delhi.
4. Smt. I.P.Girija
429, S-B, R.K.Puram, New Delhi.
5. Navin Gupta
C-6/84, Yamuna Vihar, Delhi.

...Petitioners

(By Advocate Shri T.C.Agarwal)

V E R S U S

1. Shri Babu Lal
Dy. Director General (A)
Dte. General All India Radio
Parliament Street, New Delhi.
2. Shri Gita Ram
Administrative Officer
Station Director, New Delhi,
P.T.I. Building, Parliament Street
New Delhi.

...Respondents

(By Advocate Shri S.M.Arif)

O R D E R (ORAL)

BY HON'BLE SHRI GOVINDAN S. TAMPI,

Shri T.C.Agarwal, learned counsel for the petitioners presses CP 216/2001 with reference to the order dated 16-2-2000 in OA 1567/96 wherein it has been directed that the respondents shall take steps to convert the post on which the applicants have been working into regular posts and adjust these applicants accordingly from the date their juniors have been regularised and grant them all consequential benefits. According to the learned counsel it meant that they should also given the benefit of higher pay and

allowances including arrears. In support of his claim he referred to the judgement of Hon'ble Kerala High Court in the case of P.N.Sivarajan Vs. State of Kerala (1994 (1) AISLJ 213) and stated that as the financial benefits have not been granted, the Tribunal's order cannot be said to have been followed. Shri S.M.Arif, learned counsel for the respondents on the other hand, submits that all the directions have been complied with and there has been no wilful or contumacious disobedience of the directions of the Tribunal. The posts have been converted into regular posts and the applicants have been adjusted also. With regard to the payment of arrears, it is submitted by the respondents that the applicants not having worked as LDCs earlier were not entitled for any other relief. Shri S.M.Arif, learned counsel also says that the decision of the Hon'ble Kerala High Court cited by the applicant was distinguishable.

3. We have considered the matter. It is seen that the Tribunal's order grants the applicants adjustments against the regularised posts with consequential benefits. Consequential benefits only mean~~y~~ benefits as permissible in law. The respondents have by their order dated 1-9-2000 granted the applicants, the benefits, as ordered by the Tribunal. Nothing further remains to be done. The facts of the case on hand are also not similar to those in the decision of Sivarajan's case (supra) by the Kerala High Court and, therefore, the same is not applicable and cannot help the applicants/petitioners. We do not find any wilful or contumacious disobedience of the Tribunal's order by the respondents and are

not, therefore, inclined to keep this C.P. alive. If the applicants/petitioners has any other grievance, they can, if so advised, proceed in another OA.

4. In the result, we dismiss the CP and discharge the notices to the alleged contemnors with grant of liberty to the applicant to file a fresh OA, if the facts and circumstances so warrant.

S. Ram

(SHANKAR RAJU)
MEMBER (J)

/vikas/

Govindan S. Tampli

MEMBER (A)