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CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH,
NEW DELHI.

C.P. No. 235/95 in O.A. No. 1253/93.

New Delhi: this the 25th March, 1996.

HON'BLE MR. S.R. ADIGE, MEMBER (A)

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

1. Mono Key Board Operators
Staff Association, Mayapuri,
Ring Road, New Delhi-110064
through its President,
Sh. S.S. Shagufa, JB/17-E, LIG. 696,
G-8 Area, Rajouri Garden,
New Delhi-110064.
2. Sh. Jagdish,
5-221/20-A, Vishnu Garden,
New Delhi -110 018 Applicants.

By Advocate Shri D.R. Gupta.

Versus

1. Shri C. Ramachandran,
Secretary,
Ministry of Urban Development,
Nirman Bhawan,
New Delhi -1.
2. Shri H.A. Yadav,
Director of Printing,
Ministry of Urban Development,
Nirman Bhawan,
New Delhi.
3. Shri D.D. Saxena,
Manager,
Govt. of India Press,
Mayapuri.
New Delhi - 1100 64. Respondents.

By Advocate Shri Madhav Panikar .

JUDGMENT

By Hon'ble Mr. S.R. Adige, Member (A).

We have heard applicants' counsel Shri D.R. Gupta and respondents' counsel Shri Madhav Panikar on

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C.P.No.235/95 alleging deliberate and wilful disobedience of the Tribunal's judgment dated 9.1.95 in O.A.No.1253/93 Mono Key Board Operators Staff Association & another Vs. UOI & others.

2. By the said judgment, Respondent No.1 (UOI) was directed

"to reconsider the claims of the applicants in this regard in the light of the recommendations of the Fourth Central Pay Commission in para 23.10, particularly the last sentence of that para extracted in para 4 supra and also in the light of the scheme which obtains in the Department of Telecommunications viz. the One Time Bound Promotion Scheme or in the alternative, consider applying the Ministry of Finance O.M. dated 13.9.91 with a modification indicating the specific number of years of service after which the benefit of that scheme would be given irrespective of whether the maximum of the pay scale is reached or not. Needless to say, the easiest way to grant relief is to specify a period of service to be completed to be promoted to the next higher grade. It is open to the respondents to consider any other alternative also." Considering the nature of problem, Respondent No.1 was directed "to take appropriate decision in this regard within a period of 4 months from the date of receipt of this order."

3. After seeking and obtaining further time in the matter, the respondents have issued O.M. dated 5.1.96. A perusal of this O.M. makes it clear that the various alternatives which the respondents were called upon to consider, vide operative portion of the judgment extracted above, have been carefully considered by them.

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As the respondents, by the said judgment were called upon to consider and take a decision on the various alternatives and this has been done by the impugned O.M. dated 5.1.96, it cannot be said that there have been any deliberate and wilful disobedience of the Court's directions which would invite action under the Contempt of Courts Act against the respondent. If the respondents have any grievance in respect of the O.M. dated 5.1.96, it is open to them to agitate the same, through appropriate original proceedings in accordance with law, if so advised.

4. The Contempt of Court petition is accordingly dismissed and notices against the respondents are discharged.

A. Veda Valli
(DR.A. VEDAVALLI)
MEMBER (J)

S. R. Adige
(S.R. ADIGE)
MEMBER (A).

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