

(73)


CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

1. C.P.NO.28/2002 IN O.A.NO.2378/2000
2. C.P.NO.30/2002 IN O.A.NO.2379/2000
3. C.P.NO.29/2002 IN O.A.NO.2446/2000
4. C.P.NO.31/2002 IN O.A.NO.2521/2000

Friday, this the 17th day of May, 2002

Hon'ble Shri Kuldip Singh, Member (Judl)
Hon'ble Shri S.A.T. Rizvi, Member (Admn)

OA 2378/2000

1. Shri Ram Vichar
S/o Shri Ram Ayodhya
R/o 46-F, Ram Bagh, New Delhi.
 2. Shri Siya Ram
S/o Shri Babu Lal
R/o 80/6, Pushp Vihar
M.B.Road, New Delhi.
 3. Shri Mukhtar Mehto
S/o Shri Shiv Narain Mehto (Late)
R/o J-707, Mandir Marg, N.Delhi
 4. Shri Jawahar Ram
S/o Shri Ghurahu Ram
R/B-2/6B, Rajapuri, Uttam Nagar
New Delhi - 59.
 5. Shri V.R.Tyagi
S/o Shri Phakir Chand Tyagi
R/o Qr. No.160, Prem Nagar
New Delhi.
 6. Shri Suresh Chand
S/o Shri Sukh Lal
R/o F-519
Gali No. 17, Chandbagh Colony
Delhi - 94.
 7. Shri Daler Singh
S/o Shri Tara Chand
R/o House No.C/67, Amar Colony, Nangloi
New Delhi - 41.
 8. Shri Pratap Singh
R/o F-519, Gali No.17, Chandbagh
Colony, N.Delhi.
 9. Shri Tej Singh
S/o Shri Than Singh
R/o O-1/9B, Budh Vihar, Phase-I
Delhi.
 10. Shri Dev Dutt
S/o Shri Bhoodev Prasad,
R/o E-190, Jai Vihar Colony
Near Banicamp, Najafgarh, N.Delhi.
 11. Shri Baljeet Singh
S/o Shri Rup Chand
- 

(2)

R/o Qr. No.93, Sector 3, M.B.Road
Delhi.

12. Shri Ashok Kumar
S/o Shri Mangu Ram
R/o Qr. No.2/60, Subhash Nagar
New Delhi.

13. Shri Ram Agya Mehto
S/o Shri Hawal Dar Mehto
R/o Subhash Park-II, Khora Colony
Ghaziabad (UP).

14. Shri Man Singh,
S/o Shri Jodha Singh
R/o Sector 51, Village Hoshiyar
Pur, Distt. Gautam Budh Nagar, UP.

...Applicants

QA 2379/2000

1. Shri Shanker Prasad
S/o Late Shri Kuldip
R/o Qr.No.330, Sector-3
M.B.Road, Pushp Vihar,
New Delhi.
2. Shri Raghunath Mehto
S/o Late Shri Dhodha Mehto,
R/o A-58, Sector 2, Pushp Vihar
Saket, New Delhi.
3. Shri Dhoop Lal Manjhi
S/o Late Shri Shivaji Manjhi
R/o 86/6, Sector-I, Pushp Vihar
M.B.Road, New Delhi.
4. Shri Shatrughan
S/o Late Shri Ramanand,
R/o WC-112,
Netaji Nagar, New Delhi -23.
5. Shri Chander Pal
S/o Late Shri Amra
R/o House No.I/3680, Dak Kahana Gali
Ram Nagar Vista, Shahdara, Delhi - 32.
6. Shri Krasan Kumar
S/o Shri Jagat Singh
R/o 2/31, Patel Park, Bahadurgarh
HARYANA.
7. Shri Jaswan Singh
S/o Shri Puni Chand
R/o Qr.No.5/60, Mandir Marg
New Delhi.
8. Shri V.K.Gupta
S/o Shri Jai Bhagwan
R/o Qr.No. A/345/1, Shastri Nagar
Delhi - 52.

(3)

9. Shri Mahi Pal Singh
S/o Shri Gabbar Singh
R/o Qr.No. 39, IInd Floor,
Sector IV, Timar Pur, Delhi - 54.

...Applicants

QA 2446/2000

1. Shri Kushal Singh
S/o Shri Kanwar Singh Bist
R/o H-3/229, Sector-I, Rohini
New Delhi.
2. Shri Nihal Singh
S/o Shri Budh Ram,
R/o Village-Rampur, Dhhadhi
P.O.Jatola, Tahsil Pataudi, Distt.
Gurgaon (Haryana).
3. Shri Ram Lal Sharma
S/o Shri B.R.Sharma
R/o H.No. 1440, Lodhi Complex
New Delhi.
4. Shri Brij Mohan
S/o Shri Roshan Lal
R/o H.No. 11/264, Geeta Colony
Delhi - 31.
5. Shri Madan Lal,
S/o Late Phagu Mal,
R/o Qr.310, Block No.80
Sector-I, Peshwa road,
Gole Market, New Delhi - 1.
6. Shri K.K.Sharma
S/o Shri Chitra Sharma
R/o BC-3/46A, Paschim Vihar
New Delhi - 63.
7. Shri Jawala Prasad
S/o Shri Roshan lal,
R/o H.No.736, Janta Flat, Nand Nagri
G.T.B. Enclave, Delhi - 93.
8. Shri Bhagwan Sahu,
S/o Shri Vasudev Sahu,
R/o H.No. 9/201, Khichripur, Delhi - 91.
9. Shri Ravinder Kumar,
S/o Late Umrao Bahadur,
R/o C-298, Shriniwaspuri,
New Delhi - 65
10. Shri Hira Singh,
S/o Shri Mohan Singh Bist
R/o 29/A, Sector 4, DIZ Area
Gole Market, New Delhi.
11. Shri Soran Singh
S/o Shri Shiv Singh
R/o H-13
Saurabh Vihar, Hari Nagar Extn.
Jaitpur Road, New Delhi - 44.

km

26

12. Shri Santbeer
S/o Shri Gajraj Singh
R/o D-11, H.No.256
Hari Ngr. Extn., Jaitpur
Badarpur, New Delhi.
13. Shri Virender Singh
S/o Shri Mehar Dass
R/o Vill. & P.O.Kulatana, Distt. Rohtak
14. Shri Kailash Chand
S/o Late Sh. Kishan Lal
R/o D-799, Co.operative, Tejpur
Peharai, Badarpur, New Delhi - 44.
15. Shri Dharam Pal Singh,
S/o Shri Prem Pal Singh
R/o H.No.217, Gali No.1 Rajveer Colony
Gharoli, New Delhi.
16. Shri Ram Yagya
S/o Shri Dattu
R/o 7/218, Shakti Vihar, Part-II
Badarpur, New Delhi.
17. Shri Jagpal Singh
S/o Shri Bharat Singh
R/o H.No. 170/Ist
M.B.Extn. Badarpur, New Delhi - 44.
18. Shri Sansar Chand,
S/o Dharam Chand
H.No.104, Road No.3, Andrews Ganj,
New Delhi.
19. Shri Savinder Kumar Gupta,
S/o Shri Ant Ram
R/o 178-A, DDA Flats, Shahpur Jat
New Delhi.
20. Shri Anand Prasad,
S/o Shri Raghubeer Singh
R/o RZ-72, Salyad Gaon, New Delhi -87.

OA 2521/2000

1. Shri Munni lal
S/o Shri Ram Pyare
R/o H.No.2297,
Lodhi Complex, New Delhi.
2. Shri Amar Nath
S/o Shri Bhikha Ram
R/o RZE-673/11, Gali No.20
Sadh Nagar, Palam Colony,
New Delhi - 45.
3. Shri Nazir Singh Yadav
S/o Shri Raj Kumar Yadav
R/o H.No. N.164, Teachers Colony
Pratap Vihar, Gaziabad, U.P.

[Signature]

28

(5)

4. Shri Chandra Dev Mehto
S/o Shri Babu Lal Mehto
R/o H.No.-G-21, Sec-4, Raja Bazar
Gole Market, N. Delhi -1.
5. Shri Jai Shankar Prasad
S/o Shri Bahadur Ram
R/o H.No. D-400, Kidwai Nagar East,
New Delhi - 23.
6. Shri Pyare Lal,
S/o Shri Tirkha Ram
R/o H.No.335, Sec.3
M.B.Road, Pushp Vihar, New Delhi.
7. Shri Ram Phal
S/o Shri Bhondu Ram
R/o H.No.910, Sec-7
R.K.Puram, New Delhi - 22.
8. Shri Ashok Kumar
S/o Shri Khem Chand,
R/o H.No. S-596, School Blk,
Nehru Enclave, Shakarpur, Delhi - 92.
9. Shri Ram Pal,
S/o Shri Dungar Singh
R/o H.No.427, Blk-N, Sewa Nagar
New Delhi.
10. Shri Mehar Chand
S/o Shri Chet Ram
Office of the Asstt. Engineer (E)
CCW : AIR : Akashwani Bhawan, New Delhi.
11. Shri Kanti Swaroop
S/o Shri Adal Prasad,
R/o Flat No.-1166, Pkt-C
LIG Flat, East Loni Road, Shahdara
Delhi.
12. Shri Om Swaroop
S/o Shri Bhim Singh
R/o V/po Chawla, New Delhi - 71.
13. Shri Gauri Shankar,
S/o Shri Bhulai Mehato
R/o F-812/1864, Netaji Nagar,
New Delhi.

...Applicants

(By Advocate: Shri T.C. Aggarwal)

V E R S U S

1. Shri Anil Baijal
Addl. Secretary
Ministry of Information and Broadcasting
Shastri Bhawan, New Delhi - 1.
2. Shri T.R. Malakar,
Directorate General of AIR
Parliament Street
Akashvani Bhavan
New Delhi

ka

3. Shri Vigyan Prakash
The Chief Engineer
Civil Construction Wing
Soochna Bhavan
Lodi Road Complex
New Delhi

... Respondents
(By Advocate: Shri Y.S. Chauhan for Shri M.M. Sudan)

O R D E R (ORAL)

Shri Kuldip Singh:

The learned counsel for the applicant submits that though the respondents claim that the judgement has been complied with, but there is no complete compliance. So, prima facie, a contempt is made. The learned counsel for the applicant argues that as per the judgement in OA-2446/2000, there were twenty petitioners in the OA, but order has not been passed in respect of all and the order has been passed for release of payment only in respect of fifteen persons and five of them have received the full payment.

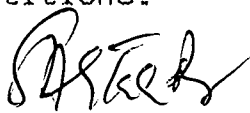
2. Beside that, the learned counsel appearing for the applicant contends that despite the fact that the petitioners have served the contempt notices upon them along with the judgement passed by this Tribunal on 10.8.2001, the respondents cannot deduct the tax in respect of arrears of pay. But still the respondents have deducted the tax in lump sum. Moreover, from the order placed on record, it is also not clear as to how in some cases full payment has been made, in some cases 50% has been made and in some cases, only part payment has been released.

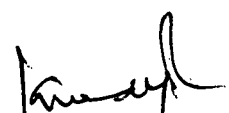
3. The learned proxy counsel for the respondents submits that though a substantial compliance has been

for

(7)

made, but since no arrears were to be calculated from 1973 onwards, as such complete compliance has been done. In view of this, we give two months' time to the respondents to make full compliance of the directions given by this Tribunal which would include the copy of statements in respect of each petitioners giving details of the payments made and the tax deducted. The Contempt Petitions stand disposed of. In case, the petitioners are not satisfied with the compliance, they are at liberty to revive the Contempt Petitions.


(S.A.T. Rizvi)
Member (A)


(Kuldip Singh)
Member (J)

/sunil/