

46  
42

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH  
NEW DELHI.

CCP No.91/1991

in

O.A. No.1101/1987.

Date of decision: January 7, 1992.

Shri Mahesh Kumar Singh & Ors ... Petitioners.

vs.

Union of India & Others ... Respondents.

CORAM:

HON'BLE MR. JUSTICE V.S. MALIMATH, CHAIRMAN.

HON'BLE MR. P.C. JAIN, MEMBER (A).

For the petitioners ... Shri B.S. Mainee, counsel.

For the respondents ... Shri P.S. Mahendru, counsel.

ORAL (ORDER)

(HON'BLE MR. JUSTICE V.S. MALIMATH, CHAIRMAN)

It has not been disputed that the petitioners have been reinstated and given temporary status. So far as the arrears of emoluments are concerned, the counsel for the respondents stated that the same have been calculated and will be paid shortly. If the arrears are paid, there will be full compliance of the judgment. It was explained by the counsel for the respondents that there was a delay in compliance for the reason that materials have to be gathered from several places where the petitioners had worked at the relevant point of time which has to be taken into account ✓ for calculation of the emoluments etc. All this,

according to him caused the delay, for which the Administration feels sorry. In the circumstances, we accept the explanation given by the respondents as ~~the~~ substantial compliance has been made. As the counsel for the respondents gives an undertaking to pay the arrears to the petitioners within a period of two months, we record his undertaking and dispose of this C.C.P. In the event of the respondents not paying the amount of arrears within a period of two months from this date, we direct that the said amount shall carry interest @ 12 per cent per annum from this date till the date of actual payment.

2. As regards the claim of the petitioners for regularisation is concerned, the respondents stated that they have found them ineligible for regularisation. Obviously, it was stated by the counsel for the petitioners that the respondents have conferred temporary status to the petitioners and they are entitled for regularisation. We, therefore, direct that the respondents shall consider the claim of the petitioners in this behalf and communicate their decision in regard to the regularisation within a period of three months from this date. If the petitioners are still aggrieved by the action taken by the respondents in this behalf, we make it clear that the petitioners can challenge the same in other proceedings and not by way of filing a C.C.P. This C.C.P. is disposed of.

*(S. C. Jain)*  
(P.C. JAIN)  
MEMBER(A)

*(V. S. Malimath)*  
V. S. MALIMATH  
CHAIRMAN