

③ 11-

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

C.C.P. NO. 316/91 in
O.A. NO. 130/89

DECIDED ON : 27.3.1992

H. E. L. Murishwar

... Petitioner

Vs.

Union of India & Ors.

... Respondents

CORAM

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

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

Petitioner present in person

Respondents through Mrs. Rajkumari Chopra, Counsel

ORDER (ORAL)

Hon'ble Mr. Justice V. S. Malimath, Chairman :-

The principal complaint in this case is about non-compliance with the judgment of the Tribunal in O.A.130/89. The respondents have produced before us records to show that the said judgment has since been complied with. The break in service has been condoned and the benefits flowing from the same including the revision of pension has been made. There is, therefore, nothing further required to be done in regard to compliance with the judgment in OA-130/89. Though the petitioner submitted that the cost awarded by the Delhi High Court of Rs.518 has not been paid, we notice that the similar contention raised by the petitioner in CCP-53/88 did not find favour with the Tribunal. We are also of the opinion that the question of invoking the jurisdiction of the Tribunal under the Contempt of Courts Act for enforcing the judgment of the Delhi High Court does not arise. Another grievance of the petitioner is that the petitioner should

- 12 - (4)

have been given earlier dates of promotion to positions higher than that of the U.D.C. The petitioner cannot make any complaint about this matter as there is no such direction in favour of the petitioner accorded by the Tribunal. In TA-1270/85 decided on 11.12.1987, the direction is only to declare the petitioner as quasi-permanent w.e.f. 31.12.1957 and further that he should be deemed to have been confirmed as L.D.C. and promoted as U.D.C. from the date his junior was so confirmed and given all consequential monetary benefits of pay, allowances and retirement benefits. Thus, it is clear that the reliefs granted were also in accordance with the prayer made by the petitioner in the said case. There is no prayer for further promotion. No such direction has also been issued by the Tribunal. Hence, the petitioner cannot make any complaint in this regard.

2. The respondents have also produced before us material to show that a bank draft for Rs.1937.75 has been sent to the petitioner on account of pay and allowances for the period from 11.3.1968 to 6.10.1968. In this background, we see no good ground to take any action under the Contempt of Courts Act. The proceedings are accordingly dropped. No costs.

Clerk
(P. C. JAIN)
MEMBER (A)

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