

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

(29)

CCP NO. 108/93 in
OA NO. 1522/91

DECIDED ON : 15.10.1993

G. H. Swami

...

Petitioner

Vs.

General Manager, Northern Railway
and Others

...

Respondents

CORAM :

THE HON'BLE MR. JUSTICE V. S. MALIMATH, CHAIRMAN
THE HON'BLE MR. S. R. ADIGE, MEMBER (A)

Shri V. P. Kohli, Counsel for Petitioner

Shri R. L. Dhawan, Counsel for Respondents

O R D E R (ORAL)
(Hon'ble Mr. Justice V. S. Malimath)

The direction in the judgment of the Tribunal was to re-fix the pay of the petitioner after giving him a personal hearing to accord the benefit of such re-fixation. The principal grievance of the petitioner is that the fixation now made is grossly inaccurate thereby depriving the petitioner of his valuable rights. We cannot go into the merits of determination in this case as the primary direction was to re-fix the pay on giving a personal hearing to the petitioner. That part of the direction has been complied with inasmuch as re-fixation has been done. Whether the re-fixation is right or wrong is not a subject matter which calls for consideration under the contempt of court jurisdiction. If the petitioner has still any grievance in regard to the correctness of the re-fixation made, the proper remedy for the petitioner is to agitate his rights in appropriate proceedings. Without prejudice to that right of the petitioner, these proceedings are dropped.

R. Adige
(S. R. Adige)
Member (A)

as

V. S. Malimath
(V. S. Malimath)
Chairman