

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

C.C.P. NO. 328/93 in
O.A. NO. 2241/91

New Delhi this the 3rd day of February, 1994

CORAM :

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

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

1. P. S. Saini S/O Sansar Chand Saini,
R/O 31/3-B, Sector 2,
DIZ Area, Gole Market,
New Delhi.
2. V. K. Sharma S/O Ram Sarup Sharma,
R/O 97-C/Sector IV,
Baba Kharak Singh Marg,
New Delhi - 110001.

(Both the petitioners working as
Junior Engineers (Elec.), CPWD)

... Petitioners

By Advocate Shri M. K. Gupta

Versus

1. Shri Balbir Singh,
Director General of Works,
Central Public Works Department,
Nirman Bhawan, New Delhi.
2. Shri Anil Kumar Jain,
Superintending Engineer (Elec.),
Delhi Central Circle Electrical-VI,
CPWD, Vidyut Bhawan, 3rd Floor,
Near Shanker Market,
Connaught Place, New Delhi. ... Respondents

By Advocate Shri P. P. Khurana


O R D E R (ORAL)

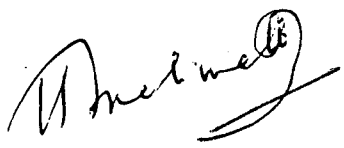
Hon'ble Mr. Justice V. S. Malimath —

We are satisfied that the judgment of the Tribunal has been complied with by passing the order dated 20.12.1993 granting the pay scale of Rs.1640-2900 to the petitioners w.e.f. 1-1-1986. Shri Gupta, learned counsel for the petitioners, however, submitted that

the second and future increments have been withheld by the subsequent order on the ground that the petitioners have not passed the prescribed test. The condition No. 24 imposed by the order of appointment itself stipulates such a condition. Hence, it is not possible to take the view that the action of the respondents is in contempt. The question as to whether the withholding of the increments was justified or not was not in issue. Hence, no decision in this behalf has been taken by the Tribunal. If, however, the petitioners have any legitimate grievance to make in this behalf, the disposal of these proceedings by us will not come in their way in agitating their rights in accordance with law.

2. Subject to these observations, these proceedings are dropped.


(S. R. Adige)
Member (A)


(V. S. Malimath)
Chairman

/as/