

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL ALIAHABAD BENCH

ALIAHABAD.

Allahabad this the 22nd day of February 2000.

Contempt Application no. 74 of 1997

in

Original Application no. 95 of 1993.

Hon'ble Mr. S.K.I. Naqvi, Judicial Member

Hon'ble Mr. M.P. Singh, Administrative Member

1. Govind Ram, S/o Late Shri Ramaya Ram,
R/o 22/2, Charan Singh,
Colony, Kanpur.
2. Bhagat Singh, S/o Shri Lal Chand,
R/o C/o Govind Ram, 22/2, Charan Singh
Colony, Kanpur.

... Applicant

C/A Shri Rakesh Verma

Versus

1. Sri R.P. Jauhary, General Manager,
Small Arms Factory,
Kalpa Road, Kanpur.

... Opp Party.

C/Op Sri A. Sthelekar

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ORDER

Hon'ble Mr. S.K.I. Naqvi, Member-J.

This contempt is out come of the ^{non}compliance of direction of this Tribunal in OA 95 of 1993 in which the respondents are directed to place the applicant in the scale of Rs. 110-155 from the date of transfer as given by the respondents in their counter affidavit. It is not in dispute that the applicant has been placed in this pay scale and has been paid the difference of basic pay, D.A., H.R.A. and C.C.A., but has not been allowed the arrears in respect of other allowances like travel allowance, O.T., Bonus, Night allowance and bonus on piece rate work and, therefore, as per petitioner's case, the direction of the Tribunal has not been complied, for which he has come up on contempt side.

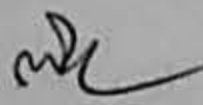
2. We have considered the argument placed from either side and perused the record.

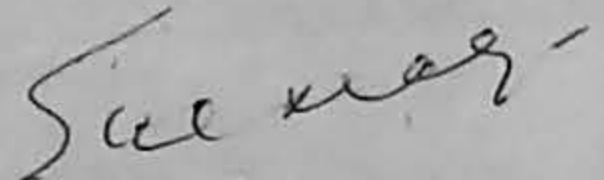
3. The grievance of the petitioner for non payment of allowances does not appear to be acceptable because these allowances are contingent to work done or travelling undertaken by the employee concern. More over, the allowances like travel allowance is paid against the actual expenditure incurred in this regard and, therefore, we do not find that the payment of arrears under these heads come within the perview of direction of the Tribunal.

See next
...3/-

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4. Under the circumstances the contempt appears to be misconceived. Hence, the notices issued to the opposite party are discharged.


Member-A


Member-J

/pc/