

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Allahabad this the 23rd day of January 2002

Contempt Application no. 206 of 2001
in

Original Application no. 326 of 1993.

Hon'ble Mr. Justice RRK Trivedi, VC
Hon'ble Maj Gen KK Srivastava, AM

Sri G.I. Arif, S/o Sri Gulam Mustafa,
R/o 156, Sewain Mandi Nakhas Kona,
Allahabad.

By Adv : Sri RK Nigam

... Applicant

Versus

Mohd Azhar Shams (Divisional Commercial Manager),
Allahabad.

... Respondent

By Adv : Sri AK Gaur

ORDER

Hon'ble Mr. Justice RRK Trivedi, VC

By This contempt application filed under section 17 of the A.T. Act, 1985, for punishing the respondents, for not compliance of the order of this Tribunal dated 11.4.2001 passed in OA no. 326 of 1993.

The direction was given by the Tribunal as under :-

"In the result, we set aside the impugned orders dated 14.1.93 and consequently, the reversion order of the applicant to the grade of Head TTE in the scale of Rs. 1400-2300 also stands revoked with consequential reliefs and benefits as per rule. His promotion to the grade of CIT will also be considered as per rules and merits as if the charges were never issued."

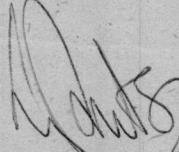
2.

2. Sri A.K. Gaur, has filed counter affidavit and submitted that the order has been complied with. In support of his submission he has filed copy of the order dated 19.10.2001 which shows that the applicant has been posted as JIT from which post he was reverted in the grade of Rs. 5500-9000. His pay has also been fixed with retrospective effect from 1.3.1993.

3. Sri R.K. Nigam, however, submitted that the pay of the applicant ^{by order} fixed is not correct and the applicant has not been promoted as CIT.

4. From perusal of the order it appears that this Tribunal has directed to consider the claim of the applicant for promotion to the post of CIT. Sri Nigam has not been able to show that any selection for the post of CIT ^{has} taken place after the order of this Tribunal and the applicant has not been considered in the same. In absence of such averments in our opinion no contempt is made out.

5. So far as the grievance of wrong fixation of the pay is concern, It is submitted that a representation has been filed before the Divisional Personnel Officer which shall be considered and decided in accordance with rules. Subject to the aforesaid this contempt application is disposed of. Notices issued are discharged. No order as to costs.


Member-A


Vice-Chairman

/pc/