

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

Allahabad, this the 8th day of October, 2004.

QUORUM : HON. MR. JUSTICE S.R. SINGH, V.C.

HON. MR. D. R. TIWARI, A.M.

CCA No. 215 of 2003 in O.A. No.16/96

I.S. Ravi.....

.....Applicant.

Counsel for applicant : Sri R. Verma.

Versus

Sri Imtiyaz Hussain, Senior D.C.M....

.....Respondents.

Counsel for respondent : Sri A. K. Gaur.

O R D E R

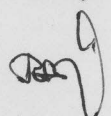
BY HON. MR. JUSTICE S.R. SINGH, V.C.

Heard Sri R. Verma, learned counsel for applicant and Sri A.K. Gaur, learned counsel for respondents.

2. The Tribunal, by its order dated 25.10.02, quashed the penalty order by which the applicant was reduced to a lower stage of the pay in the scale of Rs.1450-2300 for a period of five years and directed the respondents to restore the applicant to the original position at Rs.1600/- as in July 1993. The respondents, it would appear from the C.A. filed today, passed office order dated 26.8.2004 which reads as under :-

"In compliance of directions passed by Hon'ble CAT/ALD in O.A. No.16/96, I.S. Ravi Vs. UOI, the impugned order dt. July/93 through which penalty of reduction to a lower stage in the same time scale of Rs.1400/2300 for five year without postponing future increment was imposed as well as appellate order dt. 3.11.93 are hereby quashed and set aside provisionally subject to final outcome of writ petition pending before Hon'ble High Court/ALD."

3. It is submitted by Sri R. Verma, learned counsel for applicant that the order passed by the Tribunal has been partially complied in that the respondents have not passed any order regarding restoration of his original position at Rs.1600/- as in July, 1993. Sri A. K. Gaur

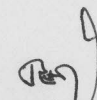


Counsel for respondent states that restoration to the position of Ra.1600/- in July 93, would take place as early as order passed by the Tribunal and the office notice dated 26.8.2004, annexed to the C.A., while ofcourse the subject to final outcome of the writ petition pending in the High Court. However, it is clarified that the respondents shall pass specific orders restoring the applicant to his original position at Rs.1600/- as in July, 1993 and work out his pay within a period of one month from the date of production of a copy of this order.

4. In view of the statement made by Sri A.K. Gaur that the order of Tribunal with regard to restoration of the applicant to his original position at Rs.1600/- as in July, 1993, would be complied with within a month, we are persuaded to drop the contempt application at this stage with liberty to the applicant to file a fresh application in case the order is not carried out.

5. The CCA is disposed of and the notices to the respondents stand discharged.


A.M.


V.C.

Asthana/