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26/4/93

Hon Mr. Justice U.C.Srivastava, V.C.

Hon Mr. V.K.Seth, A.M.

The applicant ~~has~~ filed a departmental appeal ^{after} and dismissal of the same he has approached this Tribunal. His application was allowed and the punishment order and appellate order were quashed. In the meantime the applicant ~~has~~ retired from service, and it was observed that he was entitled to all consequential benefits. According to the applicant, the order of the Tribunal has not been complied with and as such he filed an application under contempt of Court Act, praying that the respondents be punished for not complying with the Tribunal's judgement.

2. The respondents in their reply stated that because of the punishment order the applicant's increment has been held in the pay scale of Rs.550-750 which has been later on revised to Rs.1600-2660 and he is not entitled for promotion to the grade of Rs.700-900 which was later on revised to Rs.2000-3200. The judgement of the Tribunal has been complied with and the applicant has been paid the ^{arrears of} difference of salary due to the quashing of the punishment order in the pay scale of Rs.550-750/- which has been revised to Rs.1600-2600/- through a Cheque dated 22-1-93 amounting Rs.12,059/-. According to the respondents the applicant is not entitled to promotion to the grade of Rs.700-900 which has been revised to Rs.2000-3200. The complaint of the applicant is that when the order of consequential benefit was passed, the respondents are obliged to give all consequential benefits which includes the grades and the pay scale also, but the same has not been given and as such a contempt has been committed. For retirement benefits the applicant has already filed an application. The respondents has not clearly stated reasons as to why the applicant is not

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entitled for a particular relief. Accordingly the respondents are directed to consider the case of the applicant for higher grade within a period of 2 months and in case he is entitled to the same, he shall be paid all monetary benefits etc. within another 2 months. With these observations the contempt ^{applicable} is consigned and the notices are discharged.

W. W.

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A.M.

V.C.