

Central Administrative Tribunal, Lucknow Bench, Lucknow

CCP No. 24 of 2006 in O.A. No. 32 of 1998

This the 24th day of November, 2009

Hon'ble Ms. Sadhna Srivastava, Member (J)

Hon'ble Dr.A.K. Mishra, Member (A)

Arun Lal, Assistant Engineer, aged about 59 years son of late Sri R.M. Lai resident of Rama Kutir, First Floor, Balda Colony, Lucknow (presently working as Additional Assistant Director in the office of Chief Engineer, Headquarters, Central Command, Lucknow-226002.

Applicant

By Advocate: Sri R.C.Singh

Versus

1. Lieutenant General Ranjit Singh, Engineer-in Chief, Army Headquarters, Kashmir House, New Delhi-110001.
2. Major General, Daljit Singh , Chief Engineer, Headquarters, Central Command, Lucknow-226002.
3. Brigadier Arvind Agrawal, Chief Engineer, Lucknow Zone , Lucknow-226002.
4. Major R. Thakuria, Garrison Engineer (East) Lucknow-226002.

Respondents

By Advocate: Sri S.P.Singh for Sri K.K.Shukla

ORDER

HON'BLE MS. SADHNA SRIVASTAVA, MEMBER (J)

This contempt petition has been filed alleging non- compliance of order dated 1.12.98 passed by this Tribunal in O.A. No. 32/98. This Tribunal set aside the transfer order dated 20.11.97 and directed the respondents to regularize the period of absence of the applicant as per rules and allow him to resume his duty with immediate effect.

2. Aggrieved by the aforesaid order, Union of India filed Writ Petition No. 1892/98 which was dismissed on 27.4.2004 as having become in-fructuous. After dismissal of writ petition, the respondents in compliance of order dated 1.12.98 of the Tribunal passed orders dated 22.5.2006 and 29.5.2006 regularized the period of absence. Copy of both the orders are on record as Annexure No.2 and 3 filed along with Counter Reply. In the Counter Reply, the respondents have stated that the entire admissible amount, leave encashment, adhoc bonus, arrears as well as difference of LEC has been paid to the applicant. After regularizing the period from 1998 to July 2006, the arrears of pay and allowances have also been paid to the applicant. It

is submitted by the applicant that the Respondents have not calculated the arrears of pay from 1998 to 2006 correctly. If it be so, the remedy of the applicant is to challenge the same by way of fresh O.A. It cannot be adjudicated in contempt. Accordingly, CCP is dismissed. Notices issued stand discharged.

Arjun 24/11/03
(Dr. A.K. Mishra)

Member (A)

HLS/-

Sadhna Srivastava
(Ms. Sadhna Srivastava)

Member (J)