

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI

C.P. 83/2002 in
ORIGINAL APPLICATION NO:256/2001

TRIBUNAL'S ORDER

DATED: 7.3.2002

{Per Govindan S.Tampi, Member (A)}

Heard Shri G.S. Walia counsel for the applicant and Shri V.S. Masurkar counsel for the respondents.

2. In this case the order of the Tribunal has been given effect to. Shri G.S. Walia counsel for the applicant points out that though consequential benefit has been ordered by the Tribunal the applicant has been granted 5 increments whereas he is entitled for 6 increments. Shri V.S. Masurkar appearing for the respondents contested the same. The matter is whether the order of the Tribunal has been given effect to or not? We find that the order of the Tribunal has been given effect to. What remains is to determine whether the individual was entitled to 5 increments or 6 increments. This is not strictly falling under the four corners of this C.P and is a different cause of action. Therefore it cannot be held that the respondents have deliberately violated the Tribunals' order. The C.P. does not survive and the same is dismissed. The notice issued on C.P. are discharged. However the applicant is at liberty to agitate the matter in different OA, on the aspect of the increment, if he so desires and so advised. so desire.

(K.V.Sachidanandan)
Member (J)

(Govindan S.Tampi)
Member (A)

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