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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

DY.1699
CP IN O.A.156/92

A.K. Gaikwad

.. Applicant

Vs.

1. Shri.N.Vittal
Chairman
Telecom Commission
New Delhi.

2. Shri.T.O. Thomas
Secretary
Dept.of Training & Personnel
Ministry of Personnel,
Public Grievances & Training
New Delhi.

.. Respondents

CORAM : 1. Hon'ble Shri Justice M.S.Deshpande, V.C
2. Hon'ble Shri.P.P. Srivastava, Member (A)

TRIBUNAL'S ORDER

DATED : 31/03/1995

X Per Shri Justice M.S.Deshpande, Vice Chairman X

Heard Shri.H.Y.Deo, learned counsel for the
applicant.

2. A wilful disobedience is alleged of the directions issued by Bangalore Bench on 26.3.1993 in O.A.No.156/92 (Shri. K. Muralidharan & Ors. Vs. The General Manager, Bangalore Telecom District, Bangalore & Ors.) setting-aside the clarification dated 23.8.1991 restricting the implementation of Annexure A-2 from 1.10.1990 and also restricting the same from 1.1.1986 as per O.M. dated 31.3.1992 with^a direction to the respondents to treat the training undergone by the applicants as duty for the purpose of increment notionally and extend the actual benefit of increment from 1.10.1990 onwards. The applicant was not a petitioner before the Bangalore Bench in this case and ^{from} what is urged by Shri.Deo ^{it is clear that}

his
~~the~~ contention is that once the clarification is set
aside, the other similarly situated persons should
also get the benefit thereof. Since the applicant
was not a party before the Bangalore Bench, non-
implementation of judgment in the applicant's case
would not amount to wilful disobedience but the
applicant may choose other remedies as per law which
would be available to him.

3. With this observation, the C.P is disposed of.


(P.P. SRIVASTAVA)
MEMBER (A)


(M.S. DESHPANDE)
VICE-CHAIRMAN

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