

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL,

BOMBAY BENCH, BOMBAY.

Contempt Petition No.110/94 in  
Original Application No.62/93

C.G.D.Nair.

... Applicant.

V/s.

Union of India & Ors. ... Respondents.

Coram: Hon'ble Shri Justice M.S.Deshpande,  
Vice-Chairman,  
Hon'ble Shri M.R.Kolhatkar, Member(A).

Appearances:-

Applicant present in person.  
Respondents by Shri V.S.Masurkar.

Tribunal's Order:-

(Per Shri M.S.Deshpande, Vice-Chairman) Dt. 17.2.1995.

The only question is whether there was ~~not~~ any wilful disobedience on the part of the Respondents in complying with the order passed in OA No.62/93 on 7.3.1994. The direction was to fix the applicant's pay on the basis of his option dt. 9.10.1989 as per O.M. dt. 1.2.1987 as on 9.11.1987. The pay shall be fixed and the financial benefits to which the applicant would be entitled shall be paid to him within three months from the date of communication of this order to the Respondents. There is no dispute before us that the applicant's pay has ~~not~~ been fixed in accordance with the directions in para 7 of the order in the O.A. The applicant is not satisfied with the refusal on the part of the Respondents to pay the arrears. The Respondents have pointed out that in view of the calculations worked out at Ex. R-3 and R-4 to the reply the applicant would not be entitled to any arrears.

2. We find that there was no wilful disobedience

in implementing the orders passed by the Tribunal. Should the applicant have any grievance about the arrears which should have been paid to him, he may proceed by challenging the orders passed by the Respondents on 24.12.1994 if so advised. The Contempt Petition is dismissed.

*M.R.Kolhatkar*

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(M.R.KOLHATKAR)  
MEMBER(A)

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(M.S.DESHPANDE)  
VICE-CHAIRMAN

B.