

**CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, MUMBAI**

Dated this Friday the 13th day of August, 2010

**Coram: Hon'ble Shri Jog Singh - Member (J)
Hon'ble Shri Sudhakar Mishra - Member (A)**

**Contempt Petition No. 34 of 2003
in
O.A.416 of 1997**

P.Babu Rao
S/o late P.Satyanarayana Murthy,
Assistant Foreman Technical/
Electric D.B. And Safety Section,
Ordnance Factory, Chanda.
**(By Advocate Miss Vaishali Agane
on behalf of Shri S.P.Saxena) - Applicant**

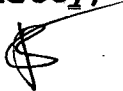
Versus

Shri Subir Datta,
Secretary,
Ministry of Defence,
DHQ PO New Delhi.

Shri D.K.Datta,
Chairman,
Ordnance Factory Board,
Calcutta.

Shri K.M.Chandrashekar,
Secretary (Revenue),
Government of India,
Ministry of Finance,
North Block, New Delhi 110 001.

**(By Advocate Shri P.P.George appears
on behalf of Shri R.R.Shetty) - Respondent**



O R D E R (Oral)

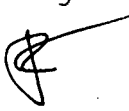
Per: Shri Jog Singh, Member (J)

The present Contempt Petition is directed against Order dated 5.6.2002 passed in OA 416 of 1997 (**P.Babu Rao Vs. Union of India & another**) by passing the following order -

"5. In the result, the O.A.deserves to be allowed and is allowed. The Applicant is entitled to stepping up of pay w.e.f. 01.04.1987 at par with Mr.D.K.Bhattacharya.

6. The Applicant has represented the matter on 11.01.1992 to which the Respondents failed to reply. In such circumstances, the fixation on account of stepping up would be notional till 31.12.1991. Thereafter, on account of fixation, the applicant would be entitled to all monetary benefits based on further consequential fixation, in accordance with rules but not be entitled to any interest on account of fixation of pay. This exercise shall be completed within a period of three months from the date of receipt of the copy of this order. No order as to costs."

2. The respondents, instead of complying with the said direction have approached the Hon'ble High Court by way of Writ Petition No.4212 of 2003 (**Union of India & another Vs. Babu Rao**). The said Writ Petition was dismissed by the Hon'ble High Court by order dated



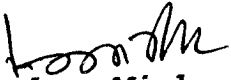
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Recd. letter from
Dept. of order
implementing as early
as possible

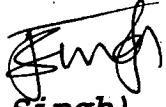
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2.2.2006 and *ad-interim* relief granted was also vacated by the Hon'ble High Court. In the circumstances, the respondents are left with no other option but the comply with the Order of the Tribunal in question. Accordingly, the respondents are directed to comply with the Order dated 5.6.2002 within a further period of four months from today. Thereafter, if the directions are not complied with by the respondents, the applicant will be at liberty to re-agitate the matter in appropriate proceedings.

3. With the above-said observations and direction, the present Contempt Petition stands disposed of. Notices are discharged.


(Sudhakar Mishra)
Member (A)


(Jog Singh)
Member (J)

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