

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
Jaipur Bench, Jaipur
ORDER SHEET

Application No. CP 96/93 (OA 1084/92) of 199

Applicant(s) Rajesh Jangid

Respondent(s) Sh. P.V. Vaitheswaram and others

Advocate for Applicant(s)

Advocate for Respondent(s)

Notes of the Registry	Orders of the Tribunal
1.8.94	<p>None is present for the petitioner. Shri K.N. Shrimal, counsel for the respondents.</p> <p>We have heard the learned counsel for the respondents. This Contempt Petition has been filed by the petitioner praying that the respondents be suitably punished under the Contempt of Courts Act for wilful dis-obeying the order of this Tribunal, passed in OA 1084/92 on 8.7.93. The operative portion of the order reads as follows :-</p> <p>"In view of the abovediscussions, we allow this application partly and quash the order of the respondents reducing the pay of the applicant from Rs.950 w.e.f. 1.1.87 to Rs.750. The applicant is entitled to the salary in the pay scale of Rs.950-1500 w.e.f. 1.1.86 with regular annual increment as prescribed in the scale and the arrears on this account shall be paid to him within 4 months from this order. So far as regularisation is concerned, we direct that the case of the applicant for regularisation as Carpenter shall be considered by the respondents in accordance with the instructions of the Railway Board dt.8.6.81 (Ann.R-3) without insisting on his qualifying in the trade test against 25% of vacancies reserved for departmental promotion from unskilled and semiskilled categories when the next such vacancy arises. Parties to bear their own costs."</p>
2.	<p>It is stated by the respondents that the copy of the aforesaid order was received in their office on 26.7.93. It is also stated that it was decided to file a Special Leave Petition before the Hon'ble Supreme Court of India and therefore the file was sent to the Head of the Office on 1.9.93. An application for</p>

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extension of time for implementation of the order was also moved and the same was disposed of on 15.4.94. Subsequently, after a letter was received by the Jaipur Office on 29.4.94, the Establishment Section prepared the statement of increments to be granted to the applicant on 17.5.94 vide Annexure R-2. This statement has already been sent to the Chief Signal Inspector (Construction), Jaipur, under whose control the petitioner is working. The statement of increments prepared is on the basis of scale of pay Rs.950-1500 and increments have been granted from 1.1.86 to 1.1.94. This shows that there was no wilful dis-obedience of the Tribunal's order in question. The learned counsel for the ~~respondents~~ states that payment is being made in pursuance of the aforesaid statement.

3. We find no merits in this petition and the same is hereby dismissed with no order as to costs. The Notice are discharged.

(O.P. SHARMA)
MEMBER (A)

C. Krishna
(GOPAL KRISHNA)
MEMBER (J)

Recd on behalf of
BSP/94
BSP/94

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