

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

CP 70/94 : Date of order 4.10.94

Nathulal Sharma : Petitioner

V/s

T.E. Ramnan & Others : Respondents

Mr. V.D. Bhargava : Counsel for the petitioner

Mr. M. Rafiq : Counsel for the respondents.

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Hon'ble Mr. Gopal Krishna, Member (Judicial)

Hon'ble Mr. O.P. Sharma, Member (Administrative)

PER HON'BLE MR. GOPAL KRISHNA, MEMBER (JUDICIAL)


Petitioner Nathulal Sharma has filed this CP against the respondents stating that the directions of this Tribunal in OA no. 410/92 decided on 11.1.94 have not been complied with by the respondents in entirety and as such the respondents are liable to be punished for contempt. The operative portion of the order passed in the same OA reads as follows:-

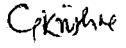
"In the circumstances we direct the respondents to refix the pay of the applicant on expiry of the currency period of penalty on 23rd April, 1979, grant him the increments due to him, and also take into account the future developments such as implementation of the recommendations of the Fourth Pay Commission etc. The respondents shall take necessary action in pursuance of these directions within a period of four months from the date of receipt of a copy of this order."

2. The grievance of the petitioner is that while all other benefits granted by this Tribunal were accorded to the petitioner but the time bound promotion which was due to him on 6.8.84 was not given to him and the petitioner was arbitrarily promoted to the next higher grade w.e.f. 26.4.89. No such direction for his promotion to the next higher grade w.e.f. 6.8.84 was in fact specifically given by the Tribunal while deciding the application in question. We find that the directions of the Tribunal were complied with by the respondents and there was no disobedience of the same. If the applicant is aggrieved by the alleged denial of promotion w.e.f. an earlier date, he is free to take any

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appropriate action before the concerned authority in this behalf.
This CP is dismissed and notices issued stand discharged.


(O.P. SHARMA)
MEMBER(A)


(GOPAL KRISHNA)
MEMBER(J)