

## IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH,

JAIPUR

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CP No. 99/1995 (OA No. 247/1993 )

Date of order: 14-10-1997

1. Ram Dayal Agarwal, Postal Assistant, Head Post Office, New Grain Mandi, Kota.
2. Om Prakash, Postal Assistant, Dadabari Post Office, Kota.
3. Mahavir Prasad Jain, Office Assistant, Office of the Senior Superintendent of Post Offices, Kota Division, Kota.
4. Satyavir Singh, Postal Assistant, Head Post Office, Chippa Barod Post Office,
5. Ram Swaroop Meena, Postal Assistant, Head Post Office, Kota.
6. Smt. Kamla Bai, Postal Assistant, Head Post Office, Kota.

.. Petitioners

Versus

1. Gautam Gupta, Chief Postmaster General, Rajasthan Circle, Jaipur.

.. Respondent

Mr. K.L.Thawani, counsel for the petitioners

Mr. U.D.Sharma, counsel for the respondent

CORAM:

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

Hon'ble Mr. Ratan Prakash, Judicial Member

O R D E RPer Hon'ble Mr. O.P.Sharma, Administrative Member

In this Contempt Petition, petitioners S/Shri Ram Dayal Agarwal, Om Prakash Chitra, Mahavir Prasad Jain, Satyavir Singh, Ram Swaroop Meena and Smt. Kamla Bai have prayed that proceedings for contempt of court may be initiated against the respondent for deliberate disobedience of the order passed by the Tribunal in OA No. 247/1993 on 9.8.1994.

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2. We have perused the reply filed by the respondent, the rejoinder filed by the petitioners and the additional rejoinder filed by them. We have also heard the learned counsel for the parties.

3. The learned counsel for the petitioners argued that the respondent had made less payment to the petitioners than that was due to them. He claimed that the petitioners are entitled to payment of regular monthly scale of pay for the entire months regardless of whether they have worked for all the working days or they have only worked on the days when they were called to perform duty. He has also strongly objected to recovery of any amount from two of the petitioners on the ground that excess payment has been made to them. He added that there was no direction in the Tribunal's order regarding recovery of amount and, therefore, the Tribunal should restrain the respondent at least to effect the recovery.

4. We have considered the matter carefully. It is not in dispute that payments have been made to the petitioners in accordance with the monthly scale of pay fixed for the regular employees. In the OA the directions were regarding payment of regular monthly scale of pay to the petitioners from the date of their appointment as RTP to the date on which they were taken on employment on regular basis. In the Contempt Petition, we cannot give any fresh direction regarding the period for which payment should be made or how the payment made should be adjusted, if there has been any excess payment made according to the respondent. If the petitioners have any grievance with regard to the actual amounts paid, the remedy

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open to them is to file fresh application or applications.

5. With these observations, the Contempt Petition is dismissed. Notice issued is discharged.

  
(Ratan Prakash)  
Judicial Member

  
(O.P. Sharma)  
Administrative Member