

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH : JAIPUR

Date of Decision : 29.04.2002

C.P. NO. 36/2001

IN

O.A. NO. 57/99.

Shri S. K. Gupta son of Shri Lakhpal Rai Agrawal, resident of 53/166, Mansarovar, Jaipur, presently posted as Scientist B, Central Ground Water Board, Western Region, Jaipur.

... APPLICANT.

versus

1. Dr. B. N. Navalawala, Secretary, Ministry of Water Resource, Govt. of India, Shram Shakti Bhawan, New Delhi.
2. Dr. B. K. Mishra, Secretary, UPSC, Dholpur House, New Delhi.
3. Dr. D. K. Chaddha, Chairman, Central Ground Water Board, Ministry of Water Resources, CGO Complex, NH 4, Faridabad.

... RESPONDENTS.

Shri P. P. Mathur, counsel for the petitioner.
Shri S. M. Khan, counsel for the respondents.

CORAM

Hon'ble Mr. Justice O. P. Garg, Vice chairman.
Hon'ble Mr. A. P. Nagrath, Administrative Member.

: O R D E R :

(per Hon'ble Mr. Justice O. P. Garg)

OA No. 57/99 was finally decided on 09.11.2000. The following operative order was passed :-

" The respondents are accordingly directed to hold a review DPC/Board of Assessment in order to consider the case of the applicant for promotion to the post of

Scientist 'C' and if he is found suitable for promotion in accordance with the rules, grant him promotion w.e.f. the date from which other persons mentioned in the eligibility list dated 25.10.95 have been granted promotion and necessary consequential benefits shall be granted to the applicant. This order shall be complied with as expeditiously as possible, at any rate not later than three months from today. If any DPC is being held immediately, his case may be considered by such DPC. No costs."

2. We find that the respondents have substantially complied with our order dated 09.11.2000 in OA No. 57/1999, by granting promotion to the applicant on the post of Scientist 'C' with retrospective effect.

3. Learned counsel for the applicant however, pointed out that part of the grievance of the applicant remains unredressed inasmuch as arrears of salary for the promoted post have not been paid though such a facility has been extended in the cases of D. Bangopadhyay, S. K. Juneja and Others,. Be that as it may, we find that there is no deliberate disobedience of the order passed by this Court, therefore, we dismiss this Contempt Petition and discharged the notices. However, we direct that the applicant may make a representation claiming arrears of salary from the date on which he was promoted and if under the law, the applicant is entitled to the same, the respondents shall pass an appropriate speaking order thereon, if any, also taking into consideration the fact that other promotees like the applicant have been extended the benefit of payment of arrears of salary.

(A.P. NAGRATH)
MEMBER (A)

(JUSTICE O. P. GARG)
VICE CHAIRMAN