

**CENTRAL ADMINISTRATIVE TRIBUNAL  
JAIPUR BENCH, JAIPUR**

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**ORDER SHEET**

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**ORDERS OF THE TRIBUNAL**

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28.05.2014

CP 91/2013 (MA 150/2012) (OA No. 18/2008)

Mr. P.P. Mathur, Counsel for applicant.  
Mr. Amit Mathur, Proxy counsel for  
Mr. R.B. Mathur, Counsel for respondents.

Heard learned counsel for the parties. The CP is disposed of by a separate order.

*M. Nagarajan*  
(M. Nagarajan))  
Member (J)

*Anil Kumar*  
(Anil Kumar)  
Member (A)

*abdul*

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
JAIPUR BENCH, JAIPUR**

**CONTEMPT PETITION NO. 91/2013  
(OA No.18/2008)**

**Date of Order:** 28.5.2014

**CORAM**

**HON'BLE MR.ANIL KUMAR, ADMINISTRATIVE MEMBER  
HON'BLE MR. M.NAGARAJAN, JUDICIAL MEMBER**

R.N.Saraswat s/o Shri Jwala Prasad aged about 59 years, resident of 26, Arjun Nagar, Near Bhagat Pan Bhandar Wali Ki Gali, Jaipur and presently working as Regional Provident Fund Commissioner , Grade II, Employees' Provident Fund Organisation, Regional Office, Rajasthan, Udaipur now retired on 30.11.2012.

.....Applicant

(By Advocate Mr. P.P.Mathur)

**VERSUS**

1. Smt. Gauri Kumar, Secretary to the Government of India, Ministry of Labour, Shram Shakti Bhawan, New Delhi.
2. Shri K.K.Jalan, Central Provident Fund Commissioner, Employees' Provident Fund Organisation, Bhavishyanidhi Bhawan, 14, Bhikhaji Cama Place, New Delhi.
3. Shri R.K.Singh, Regional Provident Fund Commissioner, Rajasthan, Regional Office, Employees' Provident Fund Organisation, Nidhi Bhawan, Jyoti Nagar, Jaipur.

.....Respondents

(By Advocate Mr.Amit Mathur  
Proxy Counsel for Mr. R.B.Mathur)

*Anil Kumar*

## **ORDER**

Per Hon'ble Mr. Anil Kumar, Administrative Member

This Contempt Petition has been filed for the non-compliance of the order of this Tribunal dated 20.5.2011 in OA No.18/2008. Vide this order the respondents were directed to consider the case of the applicant as he had completed 7 years service on the post of Enforcement Officer/Assistant Accounts Officer and providing him due benefit and seniority by following 3 percent reservation which is applicable in the case of the applicant.

2. The learned counsel for the respondents has filed a compliance report. Learned counsel for the respondents submitted that vide Office Order dated 23.5.2014 the Central Provident Fund Commissioner has approved the recommendation of the Review DPC held on 21.5.2014 in respect of Shri R.N.Saraswat and allowed him promotion on regular basis notionally w.e.f. 24.9.1999 (i.e. the date of original DPC) to the post of Assistant Provident Fund Commissioner in the pay scale of Rs.8000-275-13500(pre-revised). The actual benefit be regulated as per DOPT instructions in this regard. (Annexure CPR/1).

Anil Kumar

3. Thus the learned counsel for the respondents argued that the respondents have fully complied with the orders of the learned Tribunal and the Contempt Proceedings may be dropped.

4. The learned counsel for the applicant contested the contention of the learned counsel for the respondents and argued that respondents were bound to grant promotion to the applicant from the date the applicant has completed 7 years of service on the post of Enforcement Officer/Assistant Accounts Officer but the respondents have promoted the petitioner w.e.f. 24.9.1999.

5. Having heard the rival submissions of parties and the perusal of the documents on record, we are satisfied that the substantial compliance has been made by the respondents vide office order dated 23.5.2014, therefore, the contempt proceedings does not survive and consequently the Contempt Petition is dismissed. Notices issued to the respondents are discharged.

म. नगराजन  
(M. NAGARAJAN)  
MEMBER (J)

अनिल कुमार  
(ANIL KUMAR)  
MEMBER (A)