

CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH, CHANDIGARH

**21. CP 060/00008/2016 & MA 060/00107/2016 IN OA No.
060/00202/2014**

(Surjeet Singh Vs. V.K. Gupta & Ors.)

22.02.2016

Present: Sh. S.S. Hira, counsel for the petitioner.
Sh. Lakhinder Bir Singh, counsel for the respondents.

1. The present C.P has been filed by the petitioner alleging violation of order dated 27.03.2015 vide which O.A was allowed and the impugned order therein was set aside with a direction to the respondents to pay the applicant salary arrears due to him within a period of two months from the date of receipt of certified copy of the order.
2. Upon notice, learned counsel for the respondents seeks and is permitted to file response in the court. The same is taken on record.
3. Based thereupon, learned counsel for the respondents submitted that the authorities have complied with the order of this court by giving arrears of salary for the period 10.07.1996 to 31.10.2011, therefore, the present C.P may be dismissed having been satisfied, whereas, learned counsel for the petitioner submitted that respondents have not granted the some benefits, therefore, the respondents have themselves committed further contempt.
4. We have gone the prayer made in the O.A, which reads as under:-

" a) Issue a direction to the official respondents to grant the arrears of pay differences to the post of Truck Driver, Grade II to Khallassi Helper and other consequential benefits for the period of 10.07.1996 to 31.10.2011 with 18% interest per annum in view of acquittal order passed by the Hon'ble Pb. & Hry. High Court vide judgment dated

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01.05.2009 for the said charges of 304-A, 279 and 427 IPC."

b) Setting aside the impugned order dated 10.02.2014 (A-7) and impugned order 10.09.1996 (A-1) being illegal, arbitrary, malafide, violative of Article 14, 16 and 21 of the constitution of India and Railway Services Rules and being contrary to settled proposition of law as mentioned in the grounds of appeal.

c) Applicant be granted any other relief or direction which this Hon'ble Tribunal deems fit under the circumstances of the case.

d) Cost of the application be awarded to the applicant."

5. We have again perused the order dated 27.03.2015 passed by this court and we are satisfied that respondents have complied with the order. Merely because the applicant in relief clause 8(c) of the O.A has sought *any other relief or direction which this Hon'ble Tribunal deems fit under the circumstances of the case* would not make him entitled for the benefit which has not specifically been asked for in the O.A.

6. In view thereof, the present C.P is dismissed having been satisfied. However, the petitioner is at liberty to make representation before the authorities for relevant benefits.

7. Notices issued to the respondents are discharged.


(UDAY KUMAR VARMA)
MEMBER (A)

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(SANJEEV KAUSHIK)
MEMBER (J)