

**CENTRAL ADMINISTRATIVE TRIBUNAL  
AHMEDABAD BENCH, AHMEDABAD.**

**C.P. No.29/2017 in O.A.No.39/2013**

**Ahmedabad, this the 24<sup>th</sup> January, 2018**

**Coram : Hon'ble Ms. Praveen Mahajan, Member (A)  
Hon'ble Shri J.V.Bhairavia, Member (J)**

Shri Mahendra Khemchand Kuril, FGM (HS)  
Son of Bikharam Khemchand Kuril  
Aged 55 years,  
House No.21A, Krishna Park  
Opp. Sitaram Parivar,  
Near Shivram Park  
Madhapur - Kutch,  
Gujarat 370 001. .... Applicant  
(By Advocate : Shri M.O. Avira )

**VERSUS**

1. Shri G.Mohan Kumar  
The Secretary, Ministry of Defence,  
Government of India,  
South Block, New Delhi 110 001.
2. Col. Tushar Vig,  
Commander Works Engineer  
Air Force, Khavda Road,  
Bhuj- Kutch, Gujarat 370 001.

3. Lt. Col. Sundeep Kumar Manav  
Garrison Engineer (A/F)  
Air Force Station,  
Bhuj – Kutch, Gujarat 370 001.
4. Jatin R.K.Mehra  
Account Officer,  
Garrison Engineer (A/F)  
Air Force Station,  
Bhuj – Kutch, Gujarat 370 001..... Respondents

( By Advocate : Ms.Prachi Upadhyay)

**ORDER (ORAL)**

**Per : Hon’ble Ms. Praveen Mahajan, Member (A)**

Heard the learned counsel for both the parties.

2. Learned counsel for the Applicant submits that vide order dated 02.1.2018, the respondents have made provisional payment of Rs. 3,74,291/- to the applicant in compliance of the order dated 17.1.2017 of the Hon’ble High Court of Gujarat at Ahmedabad in SCA No.1161/2016 with SCA No.20132/2015 and in compliance of the order dated 26.6.2015 of the Tribunal in OA No. 39/2013. He further submitted that the payment for implementing the orders of the

Tribunal has been made provisionally and the respondents have made the payment only of Rs.3,35,739/- (Total arrears Rs. 3,74,291/- minus TDS @10% and Cess Rs.38,552/-) to the Applicant. Hence, full compliance of the order dated 26.6.2015 of the Tribunal as well as order dated 17.1.2017 of the Hon'ble High Court of Gujarat has not been made since PART-II Order, as stipulated under the scheme has also not been issued by the Respondents.

3. Learned counsel for the respondents, Ms. Prachi Upadhyay informed the bench that the order of the Tribunal dated 17.1.2017 has been complied with by the Respondents, both in letter and in spirit, as is evident from the order dated 02.1.2018 (Annexure R-1) and the order dated 05.1.2018 issued by the Respondents.

4. On going through the documents given by the learned counsel for the Respondents in Court, we feel that the order dated 26.6.2015 stands substantially complied with by the Respondents. In case, the Applicant still has any grievance regarding correctness (or otherwise) of the amount paid to

him, he may take up the matter with the respondents, for redressal of his grievance, if any.

5. The CP is accordingly disposed of. Notices stand discharged.

(J.V.Bhairavia)  
Member (J)

(Praveen Mahajan)  
Member (A)

Nk