

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

C.P. No. 316/2014
O.A. No. 2577/2011
M.A. No. 3532/2014

New Delhi, this the 29th day of October, 2015

**HON'BLE MR. JUSTICE SYED RAFAT ALAM, CHAIRMAN
HON'BLE MR. P.K. BASU, MEMBER (A)**

Ajit Kumar Singh
S/o Shri Bharat Singh
R/o A/307, Anand Lok Society,
Mayur Vihar, Phase-I, Delhi. ... Applicant

(By Advocate: Shri Apurb Lal)

Versus

1. Shri Bimal Julka,
Secretary,
Ministry of Information & Broadcasting,
Shastri Bhawan, New Delhi-110001.
2. Shri F. Saharyar,
Director General,
All India Radio,
Akashvani Bhawan,
Parliament Street,
New Delhi-110001. .. Contemnors/Respondents

(By Advocate : Shri Sameer Aggarwal for R-1 and
Shri Rajeev Sharma with Ms. Priyanka Raj for
R-2)

ORDER (ORAL)

By Hon'ble Mr. Justice Syed Rafat Alam

This is an application for initiating contempt proceedings against the respondents for the alleged violation of the order of the Tribunal dated 30.01.2012 in O.A. No.2577/2011.

2. We have heard Shri Apurb Lal, learned counsel for the applicant, and Shri Sameer Aggarwal and Shri Rajeev Sharma, learned counsel appearing for respondent No.1 and 2, respectively.

3. Learned counsel for the applicant vehemently contended that though the rules have been finalized as per the compliance affidavit dated 11.09.2015 filed by the respondents, however, the respondents have granted SAG benefit to the applicant w.e.f. 01.04.2011 instead of 01.04.2010.

4. On the other hand, learned counsel for the respondents pointed out that none of the persons junior to the applicant have been given SAG benefit w.e.f. 01.04.2010 and as per qualifying period of service of the applicant, he has been granted the said benefit w.e.f. 01.04.2011. He also submits that as the order of the Tribunal has been fully implemented, the Contempt Petition is not maintainable.

5. In rejoinder, the learned counsel for the applicant submitted that while disposing of the aforesaid O.A., there is a clear finding of the Tribunal that the applicant is entitled for pay parity of SAG w.e.f. 01.04.2010 in light of O.M. dated 18.01.2011, yet he has been given the said benefit w.e.f. 01.04.2011.

6. We have considered submissions of the counsel for both sides. In our view, there appears to be substantial compliance of the order of the Tribunal. However, if the applicant is still aggrieved in respect of his entitlement for the benefit of SAG w.e.f. 01.04.2010, he is at liberty to challenge the said decision of the respondents in appropriate original proceedings, but Contempt Petition cannot be maintained.

7. We are satisfied that the order of the Tribunal has been complied with substantially and, as such, we close this proceeding with liberty to the applicant to assail the order passed by the respondents in appropriate proceedings. The respondents/contemnors are discharged from notices.

(P.K. Basu)
Member (A)

/Jyoti/

(Syed Rafat Alam)
Chairman