

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

C.P. No. 64/2018
O.A. No. 1448/2015

The 5th day of October, 2018

**HON'BLE MR. V. AJAY KUMAR, MEMBER (J)
HON'BLE MR. A.K. BISHNOI, MEMBER (A)**

1. P.K. Sehgal,
Aged about 62+ years,
S/o late Sh. Om Prakash Sehgal,
R/o 20B, Arjun Apartment,
Vikaspuri, New Delhi.
2. Ms. Pritpal Kaur Bedi,
Aged about 57 years,
W/o Sh. Tarlok Singh Bedi,
R/o 5/7, Pant Nagar,
Jungpura, New Delhi.
3. Kamal Malik,
Aged about 57 years,
S/o late Sh. H.L. Malik,
R/o 490, Nimri Colony,
Ashok Vihar, Phase-4,
Delhi-110052.
4. Ms. Grace Patrick,
Aged about 62 years,
W/o Sh. Patrick,
R/o 8/530, Lodhi Colony,
New Delhi.
5. Ms. Aruna Setia,
Aged about 58 years,
W/o Sh. M. Shah Setia,
R/o H.No. 237, Sector-4,
R.K. Puram, New Delhi.
6. Ms. Meera,
Aged about 52 years,
W/o Sh. Suresh Kumar,
R/o 17/11, 1st Floor,
Ashok Nagar, Delhi.
7. Ms. Veena Sapra,
Aged about 63 years,

W/o Sh. Virendra Sapra,
R/o F-240, Rishi Nagar,
Rani Bagh, Delhi-110034. .. Petitioners

(By Advocate : Shri Surinder Kumar Gupta)

Versus

1. Shri Hashmukh Adhia,
Secretary,
Ministry of Finance,
Department of Revenue,
North Block, New Delhi.
2. Shri Devender Singh,
Director General of Inspector,
Custom & Central Excise,
I.P. Bhawan, New Delhi. .. Respondents

(By Advocate : Shri D.S. Mahendru)

ORDER (ORAL)

By Mr. V. Ajay Kumar, Member (J)

Heard both the sides.

2. O.A. Nos. 1013/2015 with 1448/2015 were disposed of by this Tribunal on 10.01.2017 as under:

“8. Accordingly, I dispose of these OAs with a direction to the respondents to examine the case of each of the applicant in both these OAs in the light of the judgment of Hon’ble Supreme Court in the case of **Rafiq Masih** (supra) and not to affect recovery from those applicants who are found to be covered by the circumstances mentioned in the Hon’ble Supreme Court judgment as well as in para-4 of the O.M. dated 02.03.2016. Recovery can, however, be made from those applicants who are not covered by the circumstances mentioned in **Rafiq Masih’s** (supra) judgment. No costs.”

3. The instant CP is filed by the applicants in O.A. No.1448/2015 alleging non-implementation of the aforesaid orders.

4. The learned counsel for the respondents today produced a speaking order dated 15.06.2018 and submits that the respondents have fully complied with the orders of this Tribunal and, accordingly, prays for dismissal of the CP.

5. However, the learned counsel for the petitioners submits that though an order has been passed but the names of the applicants not specifically mentioned in the impugned order. Hence, the explanation of the respondents cannot be accepted.

6. It is seen that the order dated 15.06.2018 specially addressed to the applicants. Hence, we cannot accept the submission made by the petitioners' counsel.

7. In the circumstances and in view of the substantial compliance of the orders of this Tribunal, the CP is closed and notices are discharged. However, the petitioners are at liberty to avail their remedies, if they are still aggrieved by the orders now passed by the respondents, in accordance with law. No costs.

(A.K. BISHNOI)
Member (A)

/Jyoti /

(V. AJAY KUMAR)
Member (J)