

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH
Contempt Petition No. 180/00027/2018 in
Original Application No.249 of 2002

Thursday, this the 25th day of October, 2018

CORAM:

Hon'ble Mrs. P.Gopinath, Administrative Member
Hon'ble Mr.Ashish Kalia, Judicial Member

1. C.P.Beenakumari
D/o.Sri.C.V.Prabhakaran, Aged 60 years
residing at Nikarthil House, Muhamma P.O
Alappuzha, Pin – 688 525
2. K.K.Kamalam
D/o the late Kunji Krishnan
aged 56 years, Kuttikkatt House
Eroor West P.O, Thrippunithura-682 306
3. V.G.Rosy
D/o.Sri.V.L.George
Veenaplackal House
GCDA Colony A-6, Pukkattupady
Ernakulam **Petitioners**

(By Advocate – Mr.O.V.Radhakrishnan,Sr with Mrs.K.Radhamani Amma)

V e r s u s

1. Injeti Srinivas IAS (OR 83)
S/o. Not known to the petitioners, aged about 57 years
Secretary in the Ministry of Corporate Affairs
Shastri Bhavan, A'Wing, 5th Floor
Dr.Rajendra Prasad Road
New Delhi – 110 001
2. M.Chandanamuthu
S/o. Not known to the petitioners, aged about 59 years
Joint Director in charge of Regional Director
Ministry of Corporate Affairs, 5th Floor
'Shastri Bhavan', 26 Haddows Road
Chennai-600 006 **Respondents**

(By Advocate – Mr.N.Anilkumar,SCGSC)

This Contempt Petition having been heard on 25.10.2018, the Tribunal on the same day delivered the following:

O R D E R (ORAL)

By Hon'ble Mrs.P.Gopinath, Administrative Member

Learned counsel for the respondents has filed affidavit dated 6.10.2018 in CP(C) 89/2008, wherein 9 petitioners in O.A 249/2002 were absorbed into Government service as regular Lower Division Clerks with effect from their respective dates of appointment as Estate Clerks and have also furnished the details governing their appointment. In para 5 of the said Annexure R-5(j) in CP(C) 89/2008, respondents also state that the appointment into Government Service will be treated as duty for grant of increment, leave sanction, financial upgradations under the Assured Career Progression Scheme, Modified Assured Career Progression Scheme, bonus as applicable according to the rules in force, and the officials are also covered under the CCS(Pension) Rules, 1972.

2 There has been substantial compliance of the order of this Tribunal. However, according to the learned counsel, petitioners are not in receipt of pension. Learned counsel for the respondents submits that he requires 6 months time to complete the process.

3 We close this CP(C) with a direction to the respondents to file a compliance report, regarding payment of pension benefits to all the petitioners, within 3 months from the date of receipt of a copy of this order with an advance copy to the learned counsel for the petitioners. Notices shall stand discharged.

(ASHISH KALIA)
JUDICIAL MEMBER
SV

(P.GOPINATH)
ADMINISTRATIVE MEMBER

List of Annexures

Annexure P1 - Photocopy of the Order dated 31.3.2004 in O.A No.249 of 2002 of this Tribunal

Annexure P2 - Photocopy of the judgment in WP(C) No.22810/2004 dated 28.2.2008 of the Hon'ble High Court of Kerala.

Annexure P3 - Photocopy of the Order dated 17.2.2009 in CP(C) No.89 of 2008 in O.A No.249 of 2002 of this Tribunal

Annexure P4 - Photocopy of the Order dated 16.5.2017 in Civil Appeal No.5564 of 2010 of the Hon'ble Supreme Court.

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