

**Central Administrative Tribunal
Principal Bench**

**CP-721/2017
OA- 2787/2014**

New Delhi, this the 12th day of July, 2018

**Hon'ble Mr. K.N. Shrivastava, Member (A)
Hon'ble Mr. S.N. Terdal, Member (J)**

Manoj Kumar
S/o Shri Man Singh
Resident of House No. 302
Family Line, Scheme No. 3
Alwar, Rajasthan

...Applicant
(In person)

Versus

Rajiv Gandhi
Chairman, DDA
B-Block, Vikas Sadan
New Delhi – 110023.

...

Respondent
(Through : Mrs. Sriparna Chatterjee)

ORDER (ORAL)

Hon'ble Mr. K.N. Shrivastava, Member (A)

This Contempt Petition has been filed for alleged non-compliance of Tribunal's order dated 21.01.2016.

2 In OA No. 2787/2014, the Tribunal had issued following direction in the order :-

"In the light of our above discussion, we quash the impugned order dated 6.8.2012 issued by the respondents-DDA rejecting the candidature/selection of the applicant, and direct the respondent-DDA to consider and take appropriate decision in the case of the applicant for his appointment as an ST candidate on the basis of the ST Certificate dated 22.7.1997 and the letter dated 23.7.2013 issued by the Tehsildar, Alwar (Rajasthan State) and in accordance with the office order dated 1.2.2012, ibid, whereby he was selected as an ST candidate for appointment to the post of Junior Engineer (Elect./Mech.). It is also directed that on his appointment, the applicant shall be entitled to all service benefits notionally with effect from the date of appointment of the candidates, who were selected for the post of Junior

Engineer(Elect./Mech.), vide office order dated 1.2.2012. This order shall be implemented by the respondent-DDA within a period of three months from today."

3 It is quite evident that the Tribunal had issued direction for re-fixation of the pay of the applicant notionally at par with his colleague recruited with him in the year 2012. Meaning thereby, the applicant would be getting pay parity with his other colleague but he will not be entitled to any arrears of pay.

4 Learned counsel for the respondents submitted that a compliance affidavit on behalf of respondents was filed way back on 16.01.2018. It is stated that the respondents vide Establishment Order dated 05.01.2018 have re-fixed the pay of the applicant strictly in accordance with the Tribunal's order.

5 We have perused the Establishment Order dated 05.01.2018 passed by Delhi Development Authority. We noticed from it that the applicant's pay has been fixed in the Pay Band-2 (Rs. 9300-34800 with Grade Pay of Rs. 4600/-) and he has also been granted financial up-gradation under ACP/MACP scheme.

6 As such, we are satisfied that Tribunal's Order dated 21.01.2016 in OA No. 2787/2014 has been fully complied with by the respondents. Hence this Contempt Petition has become infructuous. Accordingly, it is closed and Notices issued to the respondents are discharged.

(S.N. Terdal)
Member (J)

(K.N. Shrivastava)
Member (A)

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