

**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH**

...

**CONTEMPT PETITION NO.290/00011/2017
(OA NO.290/00164/2014)**

RESERVED ON:

05.03.2018

DATE OF DECISION: 06.03.2018

CORAM:

**HON'BLE MS. B.BHAMATHI, MEMBER (A)
HON'BLE MR. SURESH KUMAR MONGA, MEMBER (J)**

**SUMER SINGH CHAMPAWAT S/O SHRI RATAN SINGH, AGED ABOUT 54
YEARS, RESIDENCE OF 496, NEW BJS COLONY, JODHPUR AT PRESENT
EMPLOYED ON THE POST OF DY MANAGER MARKETING CENTRAL WOOL
DEVELOPMENT BOARD C-3, SHASTRI NAGAR, JODHPUR.**

**...PETITIONER
(PETITIONER PRESENT IN PERSON)**

VERSUS

**1. MS. RASHMI VERMA, SECRETARY, MINISTRY OF TEXTILE, GOVERNMENT
OF INDIA, UDHOG BHAWAN, NEW DELHI.**

**2. SHRI JASWANT SINGH BISNOI, CHAIRMAN CENTRAL WOOL
DEVELOPMENT BOARD, C-3, SHASTRI NAGAR, JODHPUR**

**3. SHRI G.K.MEENA, IRAS, EXECUTIVE DIRECTOR, CENTRAL WOOL
DEVELOPMENT BOARD, C-3, SHASTRI NAGAR, JODHPUR.**

**4. SHRI JUGAL CHAUDHARY, ADMINISTRATIVE OFFICER AND DDO,
CENTRAL WOOL DEVELOPMENT BOARD, C-3, SHASTRI NAGAR, JODHPUR.**

...RESPONDENTS

(BY ADVOCATE: MR. RAKESH ARORA)

**ORDER
MS. B. BHAMATHI, MEMBER (A):**

THIS CONTEMPT PETITION HAS BEEN FILED FOR THE ALLEGED NON-COMPLIANCE OF THE ORDER PASSED IN OA NO.164/2014 DATED 20TH SEPTEMBER, 2016. THE OPERATIVE PART OF THE SAID ORDER READS AS FOLLOWS:-

“17. ACCORDINGLY, OA IS PARTLY ALLOWED AND WITHOUT QUASHING THE IMPUGNED ORDER OF UPGRADATION AS WELL AS FIXATION OF PAY OF RESPONDENT NOS. 4 AND 5, WE DIRECT THE RESPONDENTS TO CONSIDER TO UPGRADE THE POST OF APPLICANT (DMM) FROM THE PAY SCALE OF RS. 6500-10500 TO RS. 7500-12000 AS APPROVED BY THE 24TH GOVERNING BODY OF CWDB W.E.F. 1.1.1996. THEY ARE ALSO DIRECTED TO CREATE SUPERNUMERARY POSTS IN THE APPROVED PAY SCALE OF RS. 7500-12000 AND TREAT THE POST OF APPLICANT UPGRADED FROM THE DATE THE POST OF RESPONDENT NOS. 4 AND 5 WERE UPGRADED. THIS EXERCISE MUST BE COMPLETED WITHIN 3 MONTHS AND THE APPLICANT SHALL BE ENTITLED TO GET ALL THE CONSEQUENTIAL BENEFITS AFTER UPGRADATION OF HIS POST W.E.F. 1.1.1996.”

2. THE SAID ORDER WAS CHALLENGED BEFORE THE HON'BLE RAJASTHAN HIGH COURT AT JODHPUR IN DB CWP NO.5044/2017. ON 24.05.2017, THE ORDER OF THE TRIBUNAL WAS CONFIRMED TO THE EFFECT THAT AS RECOMMENDED BY THE GOVERNING BODY AND TO MAINTAIN HIERARCHY IN THE BOARD, THE POST OF DEPUTY MARKETING MANAGER, HELD BY THE APPLICANT BE UPGRADED FROM RS. 6500-10500 TO THE SCALE OF RS. 7500-12000 W.E.F. 1.1.1996 ON NOTIONAL BASIS. THE HON'BLE RAJASTHAN HIGH COURT AT JODHPUR WHILE CONFIRMING THE ORDER OF THE TRIBUNAL, SPECIFICALLY FOUND THAT THE SAID DECISION WAS ON THE SAME LINES, AS PER THE RECOMMENDATION OF THE BOARD. THE LEARNED COUNSEL FOR THE RESPONDENT-CONTEMNERS HAS PLACED BEFORE US BY WAY OF AFFIDAVIT, A COPY OF THE ORDER DATED 23.2.2018 ISSUED PURSUANT TO THE ORDER OF THE HON'BLE RAJASTHAN HIGH COURT AT JODHPUR.

2.1 THE PETITIONER SUBMITS THAT COMPLIANCE ORDER IS NOT IN CONSONANCE WITH THE ORDER IN THE OA, SINCE THE OA SPECIFICALLY DIRECTED THE RESPONDENT TO CONSIDER UPGRADATION AS APPROVED BY THE 24TH GOVERNING BODY OF THE CWDB W.E.F. 1.1.1996.

3. WE HAVE HEARD THE LEARNED COUNSELS AND PERUSED THE RECORDS.

4. THE ORDER PASSED IN THE OA HAS BEEN UPHELD BY THE JUDGMENT OF THE HON'BLE RAJASTHAN HIGH COURT IN DB CWP NO.5044/2017 AND THE OFFICE ORDER DATED 23.02.2018 FILED BY THE RESPONDENTS SHOW THAT COMPLIANCE IS COMPLETE. HENCE, THE CONTEMPT PETITION DOES NOT SURVIVE.

5. ACCORDINGLY, THE CONTEMPT PETITION IS DISMISSED. NOTICES ARE DISCHARGED.

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(SURESH KUMAR MONGA)
MEMBER (J)
MEMBER (A)

(B.BHAMATHI)

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