

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...

**Contempt Petition No. 60/172/2018 & M.A. NO.
60/1816/2018 in ORIGINAL APPLICATION NO. 060/136/2018**

Chandigarh, this the 21st day of January, 2019

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**CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J) &
HON'BLE MRS. P. GOPINATH, MEMBER (A)**

...
Gurmej Singh Ex. NK NO. 14347983-a (AGED 57 years), R/o Village & P.O. Sialka, Tehsil Baba Bakala, Distt. Amritsar, Pin 143001.

....Petitioner

(By Advocate: Shri Rajesh Kumar proxy for Mr. Manish Parbhakar)

VERSUS

- 1 Sanjay Mitra Secretary (Govt. of India) Ministry of Defense, New Delhi-110011.
- 2 Lt. Gen. M.H. Thakur Chief of Army Staff, Director General of SUP. ST-12, IHQ of MoD (Army) DHQ, PO, New Delhi-110011.
- 3 Lt Gen Surinder Singh (AVSM* VSM), Army Commander, Western Command, C/o 56 APO.
- 4 Maj. S.C. Achukolu, Officer Commanding, 289 Coy ASC (Sup) Type 'C' C/o 56 APO.
- 5 Mohan Lal (Area Accounts Officer Pay) Western Command, Jalladhar, C/o 56 APO

....RESPONDENTS

(By Advocate: Shri Sanjay Goyal)

ORDER (oral)

SANJEEV KAUSHIK, MEMBER (J)

The present Contempt Petition has been filed for non-compliance of order of this Tribunal dated 5.2.2018 passed in O.A.

No. 60/136/2018 wherein a direction was issued to the Competent Authority amongst the respondents to take a view on the legal notice of the petitioner within a period of two months from the date of receipt of certified copy of the order. The respondents did not decide the same within the time granted as such the petitioner has filed the present C.P. alleging disobedience of the order of this Tribunal.

2. The respondents have filed a compliance affidavit whereby they have annexed communication dated 7.1.2019 (Annexure R-5) stating that the case has been forwarded to the Ministry of Defence for obtaining govt. sanction for condonation of delay in exercising of the option for re-fixation of pay of seven civilian employees, including the petitioner in compliance to directions of this Tribunal. Therefore, it is prayed that since the respondents are in the process of implementing the directions in favour of the petitioner and there is no deliberate disobedience on their part, so one month's more time may be given to them to decide the legal notice after having sanction from the Govt. of India.

3. In the wake of above, we are satisfied that the respondents are in the process of complying with the directions of this Tribunal, and there is no deliberate disobedience on their part. Keeping in view the explanation given by the learned counsel for respondents, they are granted further one month's time to implement the above indicated direction. As such, the C.P. is closed. Notice issued is discharged However, the liberty is granted to the petitioner to revive

the C.P., if the respondents do not comply with the directions within the time granted.

(P.GOPINATH)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

Dated: 21.01.2019
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