

**Central Administrative Tribunal
Principal Bench, New Delhi**

C.P. No.648/2018 in O.A. No.707/2018

Friday, this the 18th day of January 2019

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. Pradeep Kumar, Member (A)**

Sh. Ram Prakash Kaushik
s/o Sh. Jagan Nath Prasad
r/o 1/4286, Ram Nagar Extn.
Mandoli Road, Shahdara
Delhi – 110 032

..Applicant

(Mr. Kapil Kishor Kaushik, Advocate)

Versus

1. Shri Anshu Prakash
Chief Secretary
Govt. of NCT of Delhi
Players Building, IP Estate, New Delhi – 110 001
2. Shri Sandeep Kumar
Secretary/Addl. Secretary of Education
Govt. of NCT of Delhi
General Administration Deptt.
Secretariat Education Branch
Room No.215-16, Old Sectt., Delhi – 110 054
3. Shri Sanjay Goel
Director of Education
Govt. of NCT of Delhi
Old Sectt., Delhi – 110 054

..Respondents

(Mr. H D Sharma, Advocate)

O R D E R (ORAL)

Justice L. Narasimha Reddy:

The applicant was promoted to the post of Principal against a vacancy of 2003-04. His plea in the O.A. was that the pension must be fixed duly taking into account the promotion with effect from 2003-04. The O.A. was disposed of on 26.02.2018 directing the respondents to consider the request of the applicant within a period of three months.

This contempt case is filed alleging that the respondents did not comply with the directions issued by this Tribunal.

2. Today, the respondents filed a detailed counter affidavit. It is stated that the case of the applicant was considered in detail and on finding that the benefit claimed by him cannot be granted in view of F.R. 17 (1), an order dated 09.01.2019 was passed; a copy of which is filed along with counter affidavit.

3. We heard Mr. Kapil Kishor Kaushik, learned counsel for applicant and Mr. H D Sharma, learned counsel for respondents.

4. The direction issued in the O.A. was to consider the plea of the applicant for extension of financial benefits in the context of retrospective promotion. Though with some delay, the respondents informed the applicant through an order dated 09.01.2019 that his request cannot be acceded to. If the applicant is not satisfied with the reply, he has to work out his remedy, separately.

5. We, therefore, close this contempt case, leaving it open to the applicant to work out his remedy, vis-à-vis, order dated 09.01.2019.

(Pradeep Kumar)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

January 18, 2019
/sunil/