

**Central Administrative Tribunal
Principal Bench**

**CP No.366/2019
OA No.2718/2014**

New Delhi, this the 25th day of November, 2019

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

Sh. Neeraj Sharma (Aged about 50 years)
S/o Late Sh. Charanjit Sharma,
R/o M-101, Jagat Ram Park,
Street No. 5, Laxmi Nagar,
Delhi – 110092.

.... Petitioner

(By Advocate : Mr. T. D. Yadav)

Vs.

1. Sh. Sanjay Mitra,
Secretary,
M/o Defence, South Block,
New Delhi.
 2. Sh. S. S. S. Sarma,
Deputy Secretary/Director Establishment,
(Disciplinary Authority),
M/o Defence, Sena Bhawan,
New Delhi.
 3. Dr. A. R. Sihag,
Secretary, UPSC,
Dholpur House,
Shahjahan Road,
New Delhi.
- ... Contemnor/Respondent

(By Advocate : Mr. Satish Kumar)

: O R D E R (ORAL) :

Justice L. Narasimha Reddy, Chairman :

The petitioner herein filed OA No. 2718/2014 feeling aggrieved by the order of compulsory retirement passed

against him. The OA was partly allowed on 01.05.2019 modifying the punishment to the one of reduction of pay scale by 04 stages from Rs. 6200/- to Rs. 5500/- for a period of 03 years, without cumulative effect. It was also mentioned that the petitioner shall be entitled to be paid arrears for a period of 03 years preceding the reinstatement.

2. This CP is filed alleging that the respondents did not comply with the orders in the OA.

3. Respondents filed a counter affidavit opposing the CP. It is stated that the petitioner was reinstated into service and further steps will be taken depending upon his joining duties and by verifying the relevant records.

3. We heard Mr. T. D. Yadav, learned counsel for the petitioner and Mr. Satish Kumar, learned counsel for the respondents.

4. The relief granted to the petitioner was the one of setting aside order of punishment of compulsory retirement. Though with some delay, the respondents have reinstated him in the service, through order dated 21.11.2019. It is not known, as to whether, he joined the duties. The question of granting arrears would arise, only if, he joins the duty.

5. Therefore, the contempt case is closed directing that, in case, the petitioner joins the duty, the respondents shall work out the arrears and pay them.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

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