

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

**CP-555/2015 in  
OA-164/2014  
MA-2967/2015**

**Reserved on : 19.07.2016.**

**Pronounced on : 21.07.2016.**

**Hon'ble Sh. Shekhar Agarwal, Member (A)  
Hon'ble Dr. Brahm Avtar Agrawal, Member (J)**

1. Doordarshan Engineering Employees Welfare Association through the General Secretary, M.S. Sreekumar, Central Production Centre, Doordarshan Asiad Village Complex, Sri Fort, New Delhi-49.
2. Manoj Kumar Mahajan, S/o Sh. Late Chunni Lal Gupta, R/o A-604, Anmol Apartments, Sector-2, Plot No. 3A, Dwarka, New Delhi-75.
3. Rakesh Kumar Ojha, S/o Sh. Rajendra Prasad, R/o 1017, Sector-37, Noida, UP-201303.
4. Satyavir Jatukaran, S/o Sh. Satya Narayan, R/o B-149, Pkt.I, KV-2, Sector-82, Noida (UP).
5. Deep Kumar Gupta, S/o late Sh. Mangal Prasad Gupta, R/o S-502, Sector-10, R.K. Puram, New Delhi-110022.
6. Kavita Mahajan, W/o Manoj Kumar Mahajan, R/o A-604, Anmol Apartments, Sector-2, Plot No. 3A, Dwarka, New Delhi-75.
7. Sangeeta Sahani W/o J.K. Sahani, R/o C.46A, Kalkaji, New Delhi.
8. Rakesh Kumar Nigam, S/o Sh. Om Prakash Nigam, R/o D-3/2, Doordarshan Colony,

Symla Hills, Bhopal-13.

.... Petitioners

(through Sh. Yogesh Sharma, Advocate)

Versus

1. Sh. Vimal Julka,  
Secretary,  
Ministry of Information and Broadcasting,  
Govt. of India, Shastri Bhawan,  
New Delhi-110001.

2. Sh. F. Sheheryar,  
Director General,  
All India Radio,  
Akashwani Bhawan,  
Sansad Marg, New Delhi.

..... Respondents

(through Sh. S.M. Arif, Advocate)

## ORDER

### Mr. Shekhar Agarwal, Member (A)

This Contempt Petition has been filed for alleged non-compliance of our order dated 06.05.2015, the operative part of which reads as under:-

"7. In our considered view, when the respondents have already granted the ACP benefits to 16 out of 23 applicants in the said OA No.597/2011 (supra) subject to the outcome of the Review Petition No. 141/2012, there is no question of denying the same benefits to the applicants herein stating that the aforesaid Review Petition is still pending.

8. In view of the above position, we direct the respondents to consider the applicants herein also in the wake of their order dated 18.3.2014 (supra) and if the applicants are otherwise found to be eligible for the ACP benefits as in the case of 16 others, they shall also be given the same subject to outcome of the Review Petition No. 141/2012 pending before the Hon'ble High Court of Judicature at Patna. The aforesaid directions shall be complied with, within a period of two months from the date of receipt of a copy of this order.

9. With the aforesaid directions, this OA is disposed of. There shall be no order as to costs."

2. In compliance thereof the respondents have filed compliance affidavit on 10.05.2016, in Para-3 of which they have submitted that the Screening Committee has considered the service records of all the applicants herein and

have not found them eligible for grant of ACP benefits as they had already availed of promotion before completion of 12 years of service.

3. During the course of arguments, learned counsel for the respondents also submitted that 16 applicants out of 23 in OA-597/2011 had earlier been granted pay scale of Rs.8000-13500 under the ACP Scheme. However, their cases were also been reviewed and show cause notice had been issued to them on 06.07.2016. Learned counsel produced a copy of the aforesaid show cause notice.

4. Learned counsel for the applicants, however, disputed the decision taken by the respondents on merits and argued that the promotions granted to the applicants earlier had to be ignored due to merger of scales.

5. We have heard both sides and have perused the material on record. In Contempt Proceedings we cannot adjudicate whether the order passed by the respondents was right or not. If the applicants are still aggrieved by the same, they can challenge the aforesaid order through appropriate judicial proceedings.

6. As far as contempt is concerned, we are satisfied that our order has been substantially complied with. Hence, no contempt survives in this case. The Contempt Petition is accordingly closed. Notices issued to the alleged contemnors are discharged.

**(Dr. Brahm Avtar Agrawal)**  
**Member (J)**

**(Shekhar Agarwal)**  
**Member (A)**

/Vinita/