

(2025) 12 CAT CK 0002

Central Administrative Tribunal

Case No: Contempt Petition No. 22 Of 2021

Gulab

APPELLANT

Vs

Rajesh Bhusan, Secretary To
Government Of India In The
Ministry Of Health And Family
Welfare (PMSSY) Division,
Nirman Bhawan, Maulana Azad
Road, New Delhi – 110011 & Ors

RESPONDENT

Date of Decision: Dec. 10, 2025

Hon'ble Judges: Sudhi Ranjan Mishra, Member (J); Pramod Kumar Das, Member (A)

Bench: Division Bench

Advocate: T Rath, R S Pattnaik, B N Nayak

Final Decision: Dismissed

Judgement

Sudhi Ranjan Mishra, Member (J)

1. The applicant alleging non compliance of order dated 20.01.2021 passed in OA No. 269/2020 has filed this Contempt Petition praying as under:

a) That a contempt of court proceeding may kindly be initiated against the Respondents and then may kindly be suitably punished for violating the order passed by this Hon'ble Tribunal deliberately. Further the respondents may be directed to implement the order dt. 20.01.2021 forthwith.

2. This Tribunal vide order dated 20.01.2021 in OA No.269/2020 had passed the following orders:

29. Therefore at this stage, this Tribunal does not want to give any direction in favour of the applicant but it is directed that the respondents shall consider all the relevant factors and principle of law as quoted earlier in this order and if necessary to form a committee for consideration of the prayer of the applicant on the ground of equal pay for equal work and to take pragmatic decision in accordance with law within a period of three months hence. It is needless to say that any

decision in this regard taken by the respondents shall be communicated to the applicant by giving detailed speaking and reasoned order within further period of 15 days from the date of taking decision. The disposal of this OA shall not be a bar and shall not stand on the right of the applicant to redress their grievance in accordance with law in future.

Accordingly the OA is disposed of with above observation but in the circumstances without any order to cost.

3. The respondents in their compliance affidavit stated that in obedience to order of this Tribunal a Committee was constituted and the recommendations of the Committee (C/3) for enhancement of monthly consolidated remuneration of all Staff Nurses Gr. II (Contractual) including the applicant was implemented within period of three months.

4. The applicant in his objection inter alia averred that the applicant having been appointed in the month of September 2015 he should have got the benefits of Seventh Pay Commission w.e.f. 01.07.2017 but the respondents intentionally, willfully and deliberately did not obey and implement the order/direction passed by this Tribunal in entirety, which is bad in law. Hence the applicant have to be considered the equal pay for equal work from 01.07.2017.

5. Heard both sides and perused the records.

6. Even though learned counsel for the respondents relying on Gazette of India notifications and other documents have averred for payment of enhanced pay to the applicant w.e.f 01.07.2017, it is seen from the final order passed in OA No.269/2020 that this Tribunal had not given any direction for payment of enhanced pay but instead had directed the respondents to consider all the relevant factors and principle of law and if necessary to form a committee for consideration of the prayer of the applicant on the ground of equal pay for equal work and to take a pragmatic decision within three months. It is seen from compliance report that the respondents formed a committee which held a meeting on 01.03.2021 and after discussing agreed to the enhancing monthly remuneration at par with applicable rate of dearness allowance of regularly employed Staff Nurse Gr. II employed at AIIMS, Bhubaneswar with effect from month of January 2021. We do not find any disobedience of this Tribunal's order and the action taken by the respondents is in compliance to order of this Tribunal.

7. Accordingly since the order of this Tribunal has been complied, the CP is dropped. Notices issued are discharged.