

Item No. 66



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

**C.P. No. 44/2020
in
O.A. No. 4226/2015**

This the 5th day of August, 2022

**Hon'ble Mr. R N Singh, Member (J)
Hon'ble Mr. Tarun Shridhar, Member (A)**

Smt. Kuntesh,
Age 43 years,
W/o late Sh. Ram Kishan,
R/o H.No. 647, Kamla Nehru Nagar,
Ghaziabad (UP)

...Petitioner

(By Advocate : Mr. N.K. Srivastava)

Versus

1. Sh. Rajesh Kotecha
Secretary,
Department of Aayush,
Ministry of Health & Family Welfare,
IRCS Building,
New Delhi-110001.
2. Sh. K.R.C. Reddy
Director,
Pharmacopoeia Laboratory for Indian Medicine,
Department of Aayush,
Ministry of Health & Family Welfare,
Kamla Nehru Nagar,
Ghaziabad-210002.

...Respondents

(By Advocate : Mr. Ashok Kumar)

Item No. 66

**ORDER (ORAL)****Hon'ble Mr. R. N. Singh, Member (J):**

The present CP has been filed alleging willful defiance of directions of this Tribunal in Order/Judgment dated 31.01.2018 in the aforesaid OA, affirmed by the Hon'ble High Court vide Order/Judgment dated 18.09.2019 in WP (C) No. 10013/2019.

2. Learned counsel for the respondents submits that he has filed an affidavit on 04.08.2022 indicating complete compliance of directions of this Tribunal after supplying a copy thereof to the learned counsel for the petitioner. Though the said affidavit is not on record, however, Mr. N.K. Srivastava, learned counsel appearing for the petitioner admits that he has received a copy of the same. He also admits that pursuant to directions of this Tribunal, respondents have made payments. The only apprehension at this stage is that any payment becoming admissible to the petitioner in future, like revision of DA etc. may not be paid by the respondents in time as the respondents have made these payments only after indulgence of this Tribunal and the Order being affirmed by the Hon'ble High Court and after initiation of contempt proceedings.

Item No. 66



3. We have considered the submissions made by the learned counsels for the parties.

4. Once it is admitted by the learned counsel for the petitioner that the payments have been made keeping in view the respondents' order dated 04.04.2022 (Annexure R/4), wherein the payments have been calculated keeping in view the enhanced rates, we do not have any reason to come to a conclusion that future admissible payments will not be made by the respondents to the petitioner in time. Accordingly, CP is closed, notices issued to the respondents are discharged.

(Tarun Shridhar)
Member (A)

(R N Singh)
Member (J)

/anjali/dd/