

Cont. Cas (C) No. 21 of 2017

Date of order: 28.06.2018

Shri Dharamvir Singh Vs. Shri Rajiv Mehrishi & Ors.

Coram:

Hon'ble Mr. Justice Mohammad Yaqoob Mir, Chief Justice

Appearance:

For the Petitioner/Appellant(s) : Mr. R. Jha, Adv.

For the Respondent(s) : Mr. N. Mozika, Adv.

i) Whether approved for reporting in Law journals etc.: Yes/No

ii) Whether approved for publication in press: Yes/No

Oral:-

1. Vide judgment dated 27.11.2012, the respondents were directed to give the revised scale to the petitioner w.e.f. 19.09.1987 and to consider the petitioner for promotion as and when vacancy arise. The said judgment was challenged by medium of WA No. 5 of 2014, unsuccessfully then, again, SLP filed before the Hon'ble Apex Court also stand dismissed on 04.05.2017.

2. Typographical errors in judgment dated 27.11.2012 stand rectified vide order dated 08.02.2013, the words four years has been replaced by five years and the year 1987 has been ordered to be read as 1997.

3. When the judgment was not implemented the petitioner filed the instant motion for initiating contempt proceedings against the respondents.

4. Learned counsel for the respondents has today produced a copy of the order bearing No. A/Pers/II-04/Draughtsman/2018/359 dated 20.04.2018. For facility of reference is reproduced as under:

ORDER

1. I am directed to convey the approval of competent authority for upgradation and redesignation of the post of Havildar/Draughtsman in r/o No. E/380182 Ex Havildar/Draughtsman Dharamvir Singh as Warrant Officer/Draughtsman and is hereby granted pre-revised pay

scale Rs. 4000-6000/- with effect from 10 Oct 1997 in the light of the Hon'ble High Court of Gauhati, Shillong Bench Judgment and Order dated 27 Nov 2012 passed in WP (C) No. (SH) 283/2009.

2. Following actions will be taken by branches at HQ DGAR to ensure smooth implementation of the same :-

(a) Preparation of fresh IPS as per 5th and 6th CPC.

Action : Records Branch.

(b) Revision of pension.

Action : UPAO/Records Branch.

(c) Preparation and payment of arrears of pay & allces incl leave encashment, Gratuity & CTG.

Action : CPBO (AR), UPAO (AR) and PAO (AR)

3. This order is issued with the approval of Ministry of Home Affairs (Police-II Div, PF-VI Desk) vide their UO No. A/12011/1/2017/CF-3409355/PF-VI dated 13 Mar 2018.

Sd/-
(Pranab Misra)
Colonel
Colonel (A)
for DG Assam Rifles

5. The judgment disobedience which is complained has been complied with, therefore, contempt proceedings do not survive for any further consideration so are closed. Petition is disposed of accordingly.

(Mohammad Yaqoob Mir)
Chief Justice

Meghalaya
28.06.2018
"Sylvana PS"