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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CONT.CAS(C) 597/2016

UMESH KUMAR MOZA

..... Petitioner

Through: Mr. Amarish Chandra Tiwari, Advocate

versus

LOKESH JHA DUTT & ANR

..... Respondents

Through: Mr. G.M. Kawoosa, Advocate.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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30.03.2017

Present contempt petition has been filed alleging wilful disobedience of the order dated 31st October, 2014 passed in W.P.(C) 1104/2013 whereby respondents were directed to grant the third time bound promotion in the pay scale of Rs.4100 to 5300 (pre-revised) in favour of petitioner w.e.f. 01st April, 2003. The respondents were further directed to pay the entire monetary benefits under the third time bound promotion from the date of his entitlement and arrears within three months, failing which, respondents were directed to pay simple interest @ 9% per annum.

Today, learned counsel for respondent has handed over a copy of Government Order No.118-HME of 2017 dated 06th March, 2017. The same is taken on record. The relevant portion of the said order is reproduced hereinbelow:-

“Now, therefore, in pursuance to judgment passed by Delhi High Court at New Delhi on 31.10.2014 and consistent with the observations of Finance Department and in supersession of Government Order No.357-HME of 2011 dated 18-7-2011 and Government Order No.361-HME of 2011 dated 20-7-2011 up to the extent, sanction is hereby accorded to the grant of 3rd in situ Time Bound Promotions in favour of petitioners namely Dr. Umesh Kumar Moza (migrant), Dr. Ashok Kumar Dar, Assistant Surgeon (migrant) and Dr. Roop Krishen Kaul, Assistant Surgeon (migrant) monetarily instead of notionally on the analogy of Dr. Vinod Kumar Bhat granted in terms of Government order No.365-HME of 2010 dated 9-7-2010.”

However, learned counsel for petitioner states that the aforesaid order has not been given effect to and the outstanding amount has not been paid with interest.

Consequently, present contempt petition is disposed of with a direction to the respondent to give effect to the aforesaid Government order as well as to pay the outstanding amount with interest as stipulated in the order dated 31st October, 2014 within a period of six weeks.

In the event, the amount is not paid within the stipulated period, petitioner is given liberty to file an application to seek revival of the present contempt petition.

MANMOHAN, J

MARCH 30, 2017

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