



Cont.P.No.664/2015

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.04.2023

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

AND

THE HONOURABLE MR. JUSTICE P.B.BALAJI

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1.AIR and D.D.Technical Employees Association
rep.No.2298/63, rep.by its Vice President
[South Zone] Doordarshan Kendra
Chennai 600 005.

2.T.Vijayakumaran
Senior Technician
AIR, HPT, Avadi
Chennai.

.. Petitioners

Vs.

1.Mr.Bimal Julka
Secretary
Ministry of Information & Broadcasting
Shastri Bhavan, New Delhi.

2.Ms.Vijaya Laxmi Chabbra
Director General, Doordarshan
Copernicus Marg, New Delhi 110 001.



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3. Mr. Jawhar Sircar

The Chief Executive Officer
Prasar Bharati, PTI Buildings,
2nd Floor, Parliament Street,
New Delhi 110 001.

4. Mr. Sheheryar,

Director General, All India Radio
Akashvani Bhavan, Sansad Marg
New Delhi 110 001.

5. Mr. Ajaya Kumar

Deputy Director of Administration [E]
O/o. Director General, All India Radio
Akashvani Bhavan, Sansad Marg
New Delhi 110 001.

6. Mr. S.K. Agarwal

The Chief Engineer [South Zone]
Office of the Chief Engineer
[South Zone], AIR & TV Swami
Sivananda Salai
Chennai 600 005.

.. Respondents

Prayer:- Contempt petition filed under Clause 11 of the Contempt of Courts Act to punish the respondents for violating the order passed in WP.No.27155/2009 dated 24.11.2010.

For Petitioner	:	Ms. Kaavya for Mr. Balan Haridas
For Respondents	:	Mr. Ar. L. Sundaresan Assistant Solicitor General of India assisted by Mr. R. Rajesh Vivekananthan Deputy Solicitor General of India



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ORDER

[Order of the Court was made by S.S.SUNDAR, J.,]

- (1) Alleging willful disobedience of the order in WP.No.27155/2009 dated 24.11.2010, the above contempt petition is filed.
- (2) This Court, vide order dated 24.11.2010, disposed of the writ petition in the following lines:-

"8.In the above facts and circumstances, as the counsel for the petitioners, after instructions, submitted that the petitioners are not claiming any arrears, we consider it appropriate that extending the benefit of notional fixation of pay scale to the petitioners from 01.07.1983 is sufficient. Accordingly, the order dated 10.07.2008 in OA.No.390/2006 passed by the Central Administrative Tribunal is set aside. The respondents are directed to extend the benefit of notional fixation of pay scale with effect from 01.07.1983, conferred on the post of Transmission Executive, as evident from paragraph No.2[iv] of the order dated 25.02.1999, to the petitioners also, within a period of eight weeks from the date of receipt of a copy of this order, without any arrears, from 01.07.1983."

- (3) Stating that the order of this Court is not complied with, the above contempt petition is filed with specific averments.



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- (4) After considering the matter, this Court is convinced that the petitioners are entitled to the relief and that the respondents are obliged to implement the direction of this Court in its' letter and spirit. This Court, vide order dated 14.02.2023, gave time till today [10.04.2023] for reporting compliance.
- (5) Mr.Ar.L.Sundaresan, learned Assistant Solicitor General of India appearing for the respondents produced before this Court the proceedings dated 07.04.2023, 12.02.2023 and 06.08.2021 respectively. Learned Assistant Solicitor General submitted that the combined reading of the proceedings would show that the respondents have clarified its position by granting the relief to the petitioner Association as prayed for in the writ petition.
- (6) Learned counsel for the petitioners however submitted that the order vide proceedings dated 07.04.2023 is not implemented so far and therefore, the contempt petition may be kept pending.
- (7) This Court finds that it is not necessary to keep the contempt petition pending when the proceedings dated 07.04.2023 clearly indicates that the direction to refix the pay of the petitioners is in



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accordance with the order of this Court when it is read with the earlier proceedings.

- (8) Hence, the contempt petition is closed recording the statement of the learned Solicitor General of India and the proceedings dated 07.04.2023 produced before this Court. In case the order is not implemented as apprehended by the petitioner, it is open to the petitioner to recall this order.

[SSSRJ] [PBBJ]

10.04.2023

AP

Internet : Yes



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To

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- 3.Mr.Jawhar Sircar
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2nd Floor, Parliament Street,
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Director General, All India Radio
Akashvani Bhavan, Sansad Marg
New Delhi 110 001.
- 5.Mr.Ajaya Kumar
Deputy Director of Administration [E]
O/o.Director General, All India Radio
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