



2025:DHC:1710-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI*****Date of decision: 18.03.2025***+ W.P.(C) 3306/2025
SURAMPAL SINGH

.....Petitioner

Through: Mr.Rakesh Kumar and
Mr.Ujjwal K. Priyadarshi,
Advs. alongwith petitioner in
person.

versus

MS VEDITHA REDDY DIRECTOR DIRECTORATE OF
EDUCATION

.....Respondent

Through: Nemo

CORAM:**HON'BLE MR. JUSTICE NAVIN CHAWLA****HON'BLE MS. JUSTICE RENU BHATNAGAR****NAVIN CHAWLA, J. (ORAL)**

1. This petition has been filed by the petitioner challenging the Order dated 08.01.2025 passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi in C.P. No.142/2023 in O.A. No.1726/2022 titled *Surampal Singh v. Sh. Himanshu Gupta, Director, Directorate of Education*, disposing of the Contempt Petition filed by the petitioner alleging violation of the Order dated 11.07.2022 passed in the above-mentioned OA, in the following terms:

“9. We have considered the submissions made by the learned counsels for the parties. It is not in dispute that payments made under various heads have been released to the petitioner in compliance of the directions of the Tribunal. It is also not in dispute that certain documents have been supplied to the petitioner, regarding details of the payment.



Learned counsel for the respondents has already said that a detailed 'due and drawn statement' shall be supplied to the petitioner within 3 weeks from today. Now, the only dispute remains about the correctness of calculation while making the payments.

10. We are of the considered view that issue of correctness of the payment cannot be looked into in the contempt jurisdiction, more particularly, taking into account the directions given by the Tribunal. In this regard, we may place reliance on the judgment of the Hon'ble Apex Court in J.S. Parihar Vs. Ganpat Duggar and Ors. AIR 1997 Supreme Court 113.

11. In view of the aforesaid, the present C.P. is closed. Notices are discharged. However, the respondents shall remain bound by their statement to supply a copy of the 'due and drawn statement' to the petitioner within 3 weeks from today and in case of default, the petitioner shall be at liberty to approach this Tribunal for revival of the C.P., for the remaining surviving grievances, if any, in accordance with law."

2. The learned counsel for the petitioner submits that the respondent is intentionally not complying with the Orders passed by the learned Tribunal, and forcing the petitioner to file repeated petitions to seek the proper relief. In this regard, he draws our attention to the various litigations filed, as mentioned in paragraph 12 of the present petition. He submits that instead of ensuring that the Order passed by the learned Tribunal is fully complied with, the learned Tribunal has again granted time to the respondent to comply with the same and has disposed of the Contempt Petition by merely directing the respondent to supply the Due and Drawn Statement of Account to the petitioner within three weeks of the said Order. He



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submits that, in fact, in the statement thereafter provided, there were glaring discrepancies because of which the petitioner had to file yet another Original Application before the learned Tribunal.

3. He further submits that such discrepancy is evident from the fact that for a similar employee, the Basic Pay has been taken as Rs.96600/- for the relevant period, while for the petitioner his average salary has been taken as only Rs.60400/-.

4. We have considered the submissions made by the learned counsel for the petitioner.

5. Admittedly, the petitioner has filed a fresh Original Application before the learned Tribunal, complaining that his pension has been wrongly fixed by taking an incorrect amount as last drawn pay for determination of the pension. Once the matter is *sub-judice* before the learned Tribunal, we do not deem it appropriate to interfere with the Impugned Order in exercise of our powers under Article 226 of the Constitution of India.

6. The petitioner, having already invoked his remedy in accordance with law, nothing survives in the present petition. We, however, request the learned Tribunal to consider the claim of the petitioner expeditiously to bring a closure to the same.

7. The petition is accordingly disposed of.

NAVIN CHAWLA, J

RENU BHATNAGAR, J

MARCH 18, 2025/sg/IK

[Click here to check corrigendum, if any](#)