

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

M.A. No..... of 2021  
IN

C.P. No. 386 OF 2019

IN

O.A. NO. 2045 OF 2016

IN THE MATTER OF:

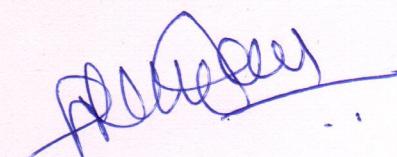
Atomic Energy Pensioners' Welfare Forum  
Through its General Secretary ..... Applicants

V E R S U S

Shri K.N. Vyas and Anr. .... Respondents

I N D E X

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(G. Natarajan)

Advocate for the Applicants  
Office-cum Resi: Flat No.M-503,  
DHARMA Apartment

Plot No.2, IP Extension, Delhi-110092.

Tel:(011) 35504033,

Mob: 9868805764

Email ID: [rajgnvidur@gmail.com](mailto:rajgnvidur@gmail.com)

A

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

C.P. No. 386 OF 2019

IN

O.A. NO. 2045 OF 2016

IN THE MATTER OF:

1. Atomic Energy Pensioners' Welfare Forum,  
Registered under Charity Commissioner  
Registration No. G.B.B.S.D. 1302/15(Mumbai)  
B-104, Nandanvan Apartments,  
Deonar Farm Road,  
Mumbai – 400088.
  
2. Shri P. Gururaj Rao (General Secretary)  
Aged 68 Years,  
S/o Late Shri Padnabha Rao  
R/o Flat No. B-104 Nandanvan Apartments,  
Deonar Farm Road,  
Mumbai – 400088.
  
3. Shri T. Premachandran (Joint Secretary)  
Aged 65 Years,  
S/o Late Shri A.K. Narayanan Nair  
R/o Flat No. B-201, Anuvigyan Co-operative Housing Society,  
Plot No. 10, Sector-4, Kharghar, Navi Mumbai – 410210.  
...Applicants

**V e r s u s**

1. Shri K.N. Vyas,  
Secretary to Government of India,  
Department of Atomic Energy,  
through the PMO, South Block,  
New Delhi-110 011.
  
2. Shri Girish Chandra Murmu,  
Secretary to the Government of India,  
Department of Expenditure,  
Ministry of Finance, North Block,  
New Delhi 110001.

...Respondents

IN THE HON'BLE CENTRAL ADMINISTRATIVE  
TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

M.A. No. .... 2021

In

C.P. No. 386 OF 2019

IN

O.A. NO. 2045 OF 2016

**IN THE MATTER OF:-**

ATOMIC ENERGY PENSIONERS' WELFARE

FORUM & ANOTHER ..... APPLICANTS

VERSUS

SHRI K.N. VYAS & ANR.. ..... RESPONDENTS

**APPLICATION SEEKING EARLY HEARING OF THE  
CONTEMPT PETITION NO. 100/386/2019 IN OA NO.**

**2045/2016**

Most respectfully showeth,

1. That this Misc. Application for Early Hearing is filed on behalf of the Applicant Forum, who are aggrieved by the non-compliance of this Hon'ble Tribunal Order dated 10.07.2017 in OA No. 2045/2016 and in the context of submissions made by the Counsel for the Contemnors in regard to OM No. 4/4/2011-SCS/Vol.III/7809 dated 13.06.2017 before this Hon'ble Tribunal whereby it was stated that substantial part of the relief prayed for stands granted on the issue of two additional increments.



2. That the Counsel for the Forum contended that despite the fact that the High Courts of Kerala and Uttarakhand have already allowed the claims and the judgments have attained finality with the dismissal of the SLP filed in the Hon'ble Supreme Court.
3. That this Hon'ble Court has allowed the reliefs sought by the applicants with a direction to the Respondents to release the amounts in terms of Para 3 of the Department of Atomic Energy OM dated 13.06.2017, within a period of three months vide Order dated 10.07.2017. A true and correct copy of the Order dated 10.07.2017 is annexed and marked as **Annexure MA-1**.
4. That initially Department of Atomic Energy started implementing the OM in a few cases and then the process of implementation stopped all on a sudden. After waiting for about a year, waiting for the implementation of the OM for others, a contempt petition was filed as there was no other alternative.
5. That after filing of Contempt Petition on 30.07.2019 and Notice issued thereon, the contemnors took almost two years and are yet to file their reply in the above said Contempt Petition. Even after listing the matter for several times, the case could not reach for hearing as there have been *en bloc* adjournment of the cases due to COVID-19 pandemic.



6. That the applicants, the members of the Forum are aggrieved due to the non-listing of the Contempt Petition for more than two years. Moreover, it is an admitted fact that since the filing of the OA in 2016, the members of the petitioner Association are waiting to get the required relief. It is not out of place to mention that similar OMs issued by the Department of Space, DRDO etc. have been implemented fully and the Scientists working there in have got all the benefits. Thus the applicants who are similarly placed are treated differently for no plausible reasons.
7. That in the meanwhile some of the members of the Forum have passed away; some of the members aged above seventy or seventy five years are expecting to see the colour of the coin during their lifetime itself. Moreover the delay has caused frustration and disappointment among the members of the Applicant Forum.
8. That in view of the above practical difficulties and anguish of the members facing a differential and step motherly treatment in the implementation of the Order granting two additional increments, the applicants are constrained to file the present MA for early hearing of the Contempt Petition No. 386/2019.



## PRAYER

In the light of the above facts and circumstances of the present case, it is humbly prayed that this Hon'ble Tribunal may graciously be pleased to allow the present Misc. Application and direct the Registry to list the case of the applicants for early hearing.

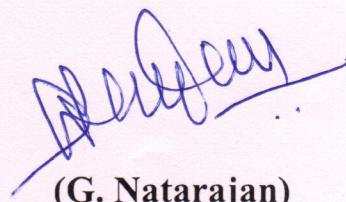


Signature of the Applicant

Through

Place: Delhi.

Date : 04/10.2021



(G. Natarajan)

Advocate for the Applicants

Office-cum Resi: Flat No.M-503,

DHARMA Apartment

Plot No.2, IP Extension, Delhi-110092.

Tel:(011) 35504033,

Mob: 9868805764

Email ID: [rajgnvidur@gmail.com](mailto:rajgnvidur@gmail.com)

IN THE HON'BLE CENTRAL ADMINISTRATIVE  
TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

M.A. No. ....2021

In

C.P. No.	386	OF 2019
	IN	
O.A. NO.	2045	OF 2016

**IN THE MATTER OF:-**

ATOMIC ENERGY PENSIONER WELFARE  
FORUM & ANOTHER ..... APPLICANTS  
VERSUS

Shri K.N. Vyas & Anr. ..... RESPONDENTS

**AFFIDAVIT**

I, T. Premachandran, Joint Secretary, Atomic Energy Pensioners' Welfare Forum, S/o Late Shri A.K. Narayanan Nair, aged 70 years, Resident of Flat No. B-201, Anuvigyan Co-operative Society, Plot No. 10, Sector - 4, Kharghar, Navi Mumbai - 410210 retired as Scientific Officer from the Department of Atomic Energy, Mumbai, now having come to Delhi, do hereby solemnly affirm and declare as under: -

1. That I am the Joint Secretary of the Atomic Energy Pensioners' Welfare Forum, Mumbai and I am competent to swear this affidavit.
2. That the accompanying Misc. Application for early hearing has been drafted by my counsel and the contents of the same are true and correct to my knowledge. I have gone through and understood the same. The legal submissions therein are believed to be true on the basis of advice received from our counsel.

*Signed before me,*  
  
**G. Natarajan**  
 Advocate  
 Supreme Court of India  
 M-503, Dharma Apts., Plot No.2  
 I.P. Extension, Delhi-110092  
 011-22782615/ 22782224  
 9076786761 9968805761

  
**DEPONENT**

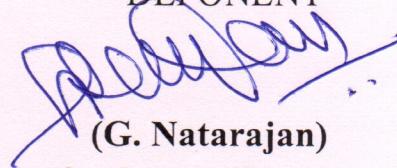
### VERIFICATION

I, the above named deponent, do hereby verify that the facts of this affidavit are true and correct to my knowledge and belief. No part of it is false and nothing material has been concealed and suppressed therefrom.

Verified at Delhi on this 03<sup>rd</sup> day of October, 2021.



DEPONENT



**(G. Natarajan)**

Advocate for the Applicants  
Office-cum Resi: Flat No.M-503,  
DHARMA Apartment  
Plot No.2, IP Extension, Delhi-110092.  
Tel:(011) 35504033,  
Mob: 9868805764  
Email ID: rajgnvidur@gmail.com

# ANNEXURE - MA/1

## **CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH: NEW DELHI**

**O.A No. 2045/2016**

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New Delhi, this the 10<sup>th</sup> day of July, 2017

**Hon'ble Mr. Justice Permod Kohli, Chairman  
Hon'ble Mr. K. N. Shrivastava, Member (A)**

1. Atomic Energy Pensioners' Welfare Forum,  
Registered under Charity Commissioner  
Registration No. G.B.B.S.D. 1302/15 (Mumbai)  
B-104, Nandanvan Apartments,  
Deonar Farm Road,  
Mumbai – 400 088.
  
2. Shri P. Gururaj Rao (General Secretary)  
Aged 68 years,  
S/o. Late Shri Padnabha Rao  
R/o. Flat No. B-104,  
Nandanvan Apartments,  
Deonar Farm Road,  
Mumbai – 400 088.
  
3. Shri T. Premachandran (Joint Secretary)  
Aged 65 years,  
S/o. Late Shri A. K. Narayanan Nair  
R/o. Flat No. B-201, Anuvigyan Co-operative  
Housing Society,  
Plot No. 10, Sector-4, Kharghar,  
Navi Mumbai – 410 210. ....Applicants

(By Advocate : Mr. G. Natarajan)

Versus

1. The Secretary to Government of India,  
Department of Atomic Energy,  
Anushakti Bhavan, CSM Marg,  
Mumbai – 400 001.
  
2. The Secretary to the Government of India,  
Department of Expenditure,  
Ministry of Finance, North Block  
New Delhi – 110 001. ....Respondents

(By Advocate : Mr. Hanu Bhaskar)

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## ORDER (ORAL)

**Justice Permod Kohli, Chairman**

Learned counsel appearing for the parties made a statement at the Bar that the respondents have issued office memorandum dated 13<sup>th</sup> June 2017 whereby substantial part of the relief prayed for stands granted. A copy of the memorandum is also placed on record.

2. We have perused the office memorandum. In view of the aforesaid office memorandum granting substantial part of the relief, learned counsel for the applicants does not press this O.A. He however, submits that the arrears of pay in terms of para 3 of the office memorandum may be directed to be released within a reasonable time.

3. This O.A is accordingly disposed of with a direction to the respondents to release the amount in terms of para 3 of the office memorandum dated 13.06.2017 within a period of three months. No costs.

(K. N. Shrivastava)  
Member (A)

(Justice Permod Kohli)  
Chairman

/Mbt/



Natarajan Guruswamy <rajgnvidur@gmail.com>

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## Advance copy of Misc. Application for Early Hearing in CP No. 386/2019 in OA No. 2045/2016

1 message

**Natarajan Guruswamy** <rajgnvidur@gmail.com>

To: hanubhaskar@gmail.com

3 October 2021 at 11:05

Dear Mr. Bhaskar,

Please find annexed the advance copy of MA for Early Hearing in the above mentioned Petition.

Regards,

--  
G . Natarajan,  
Advocate, Supreme Court,  
Office-cum-Residence: M-503, Dharma Apartments,  
Plot No. 2, I.P Extension, Delhi - 110092.

**Tel: 011-35504033**

Mob: 09868805764

08076786764

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 **Soft copy of the Misc. Application for Early Hearing in CP No. 386 of 2019.pdf**  
8278K