

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.NO.667/2002

(9)

Monday this the 11th day of March 2002

Hon'ble Shri Justice Ashok Agarwal Chairman
Hon'ble Shri S.A.T. Rizvi Member (A)

1. Bhagwati Pohani
w/o Shri R.K.Pohani
Ex.Engineer CPWD (Missing)
Residential Address
B-467, Sarita Vihar
New Delhi

...Applicant

(By Advocate: Shri D.P. Khandelwal)

Versus

1. Ministry of Urban Development
Through Secretary
Nirman Bhawan, New Delhi

2. Superintending Engineer (Pay & Accounts)
NDZ4 CPWD
East Block 1, Level 3
R.K.Puram
New Delhi

...Respondents

O R D E R (ORAL)

Justice Ashok Agarwal:

By the present OA, applicant has complained of non-observance of an order passed by this Tribunal on 18.10.2001 in OA-2842/2001. ~~By the order, Applicant's~~
~~whose~~ ~~has been~~
husband, ~~who~~ has been missing and ~~un~~un-heard of since 2.3.1992, is claiming benefit of grant of pensionary benefits. In this behalf, she has submitted a ~~aforsaid order of 18.10.2001~~ representation of 6.8.2001. ~~By the~~ ~~order, respondents~~ have been directed to pass a detailed and a speaking order on the representation expeditiously and within a period of four weeks from the date of receipt of a copy of the order. Despite aforesaid period having elapsed, respondents have not passed any order much less a detailed and a speaking order on the representation. They have also failed to pay over the family pension and

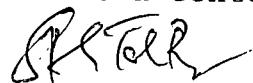


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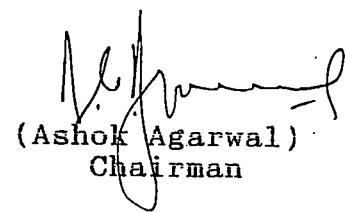
other retiral benefits claimed by the applicant. In our view, the remedy of the applicant is not by way of filing an Original Application, but by filing a Contempt Petition.

2. Present OA, in the circumstances, is dismissed with liberty to the applicant, if so advised, to institute a Contempt Petition.



(S.A.T. Rizvi)
Member (A)

/sunil/



(Ashok Agarwal)
Chairman