

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.NO.667/2002

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} husband, ~~who~~ ^{has been} has been missing and un-heard of since 2.3.1992, is claiming benefit of grant of pensionary benefits. In this behalf, she has submitted a representation of 6.8.2001. ^{aforesaid order of 18.10.2001} 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

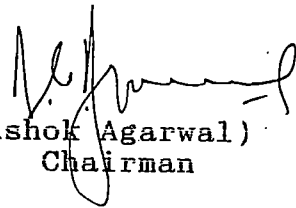
(2)

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