

**Central Administrative Tribunal
Madras Bench**

CP 310/00032/2019 in OA 310/00663/2019

Dated Monday the 20th day of January Two Thousand Twenty

P R E S E N T

**Hon'ble Mr. P. Madhavan, Member(J)
&
Hon'ble Mr. T. Jacob, Member(A)**

K.P. Muralidharan
A-16, Sneham Apartments
No. 3, Park Road, Anna Nagar West Extn.
Chennai – 600 050.

....Applicant

By Advocate **M/s. B. Satish Sundar**

Vs

1. Shri. M. Ajit Kumar, IRS
Principal Chief Commissioner of Customs
Custom House, 60, Rajaji Salai
Chennai – 600 001.

2. Shri. Anil K. Nigam, IRS
Commissioner of Customs
Chennai VIII Commisionerate
Custom House, 60, Rajaji Salai
Chennai – 600 001.

3. Shri. P.S. Ramesh
Chief Accounts Officer
O/o Principal Chief Commissioner of Customs
Annexe Building, 3rd Floor
Custom House, 60, Rajaji Salai
Chennai – 600 001.

....Respondents

By Advocate **M/s. Rajnish Pathiyil**

ORAL ORDER

Pronounced by Hon'ble Mr. P. Madhavan, Member(J)

This contempt petition has been filed alleging wilful disobedience of the interim order of this Tribunal dated 22.05.2019 in OA 663/2019 wherein it is directed by this Tribunal to keep the impugned order dt. 09.05.2019 in abeyance.

2. When the matter came up for hearing today, learned counsel for the applicant submits that eventhough interim relief was granted to the applicant on 22.05.2019, the respondents have re-fixed the pay for pensionary benefits from basic of Rs. 99,500/- to Rs. 92,700/-, thereby implementing the impugned order dated 9.5.2019. Further, the gratuity to the tune of Rs. 5,41,774/- has also been withheld from the gratuity payable to the applicant.

3. Learned counsel for the respondents submits that the respondents have kept the entire amount recovered from the applicant in a separate account and hence there is no wilful disobedience of the interim order of this Tribunal.

4. Learned counsel for the applicant submits that the amount payable to the applicant recovered by the respondents may be kept in Fixed Deposit so that the applicant may get interest.

5. In view of the above submissions made, **we deem it appropriate to direct the respondents to keep the amount recovered from the applicant in a Fixed**

Deposit and the interest may be paid to the applicant if the decision in OA goes in favour of the applicant.

6. Contempt Petition is closed. Notices discharged.

(T. Jacob)
Member (A)
AS

20.01.2020

(P. Madhavan)
Member(J)