

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

C.P.NO.124/2002
O.A.NO.263/2001

Wednesday, this the 24th day of April, 2002

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

Shri Om Prakash Vohra
Superintendent (Retired)
Customs & Central Excise
385 Bhera Enclave
Outer Ring Road
Delhi-87

..Applicant

(Applicant in person)

Versus

1. Shri S. Narayan
Secretary (Revenue Wing)
Govt. of India
Ministry of Finance
Central Secretariat (North Block)
New Delhi-1
2. Shri Waseem Ahmad
Pay & Accounts Officer
Customs & Central Excise,
Central Excise Commissionerate
117/7, Sarvodaya Nagar,
Kanpur-208 005

..Respondents

(Shri S.K. Bahal, Under Secretary, Deptt. Reptt.)

O R D E R (ORAL)

Hon'ble Shri S.A.T. Rizvi, M (A):

Non-observance of the directions given in this Tribunal's order dated 17.10.2001 in OA-263/2001, which provides as follows,"

"9. Having regard to the discussion contained in the above paragraphs, the OA is partly allowed. The OM dated 10.2.1998 is quashed partially and only to the extent indicated above. The applicant will be entitled to all the consequential benefits insofar as the revision of his pension is concerned. The respondents will compute his revised pension accordingly and make payment due to the applicant as expeditiously as possible and, in any event, within a period of two months from the date of receipt of a copy of this order. The

respondents are also directed to pay interest @ 12% per annum on the difference of the pension amount w.e.f. 1.1.1996 till the date of actual payment."

has been made the basis of the present Contempt Petition. By the aforesaid order, the applicant was held to be entitled to all the consequential benefits arising from quashing and setting aside (partially) of the OM dated 10.2.1998. The respondents were directed to compute the applicant's revised pension accordingly and to make payments to him within two months. They were also directed to pay interest @ 12% PA on the difference of the pension amount w.e.f. 1.1.1996 till the date of actual payment.

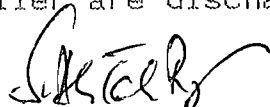
2. A Departmental Representative present in the court submits that orders have already been passed in total compliance of the directions given by this Tribunal. Payment of interest has been made vide respondents' letter of 4.4.2002 (R-4), whereas orders revising his PPO have been issued on 9.4.2002 (R-2). The clerical & mistake committed in the aforesaid order of 9.4.2002 in giving the details of disbursing bank will be corrected shortly and the branch of the said bank will be correctly shown as "Bhera Enclave" instead of "Bharaon Enclave". This the respondents will do within a period of seven days. Further, the applicant in person submits that by subjecting the aforesaid letters of 4.4.2002 and 9.4.2002 to orders to be passed by the High Court in Writ Petition, the respondents have committed the contempt of this Tribunal. We do not agree. If the respondents decide to file a Writ Petition in the matter, they are

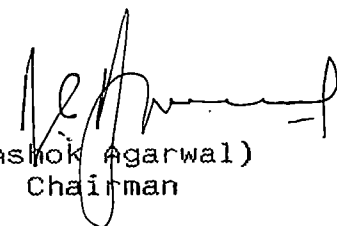
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free to do so. Since the respondents have not asked the applicant to furnish any indemnity bond in respect of any payment made or to be made in future, we find no reason to interfere with the orders passed by the respondents on 4.4.2002 and 9.4.2002.

3. In the circumstances, we find that nothing in the present Contempt Petition now survives. The same is, therefore, dismissed. Notices issued to the respondents earlier are discharged. No costs.


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


(Ashok Agarwal)
Chairman

/sunil/