

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

C.P. No. 478/2000
in
O.A. NO. 994/1999

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New Delhi this the 14th day of March, 2001.

HON'BLE SHRI JUSTICE ASHOK AGARWAL, CHAIRMAN

HON'BLE SHRI GOVINDAN S. TAMPI, MEMBER (A)

Hari Singh S/O Ram Singh,
R/O 147-A, Hari Nagar, Ashram,
New Delhi-110014.

... Applicant

(By Shri G.B.Tulsiani, Advocate)

-versus-

1. P.S.Bhatnagar,
Chief Secretary,
Government of National Capital
Territory of Delhi,
Old Secretariat, Delhi.

2. S.C.Poddar,
Secretary (Education),
Government of National Capital
Territory of Delhi,
Old Secretariat, Delhi.

3. A.B.Bajpai,
Director of Education,
Government of National Capital
Territory of Delhi,
Old Secretariat, Delhi.

... Respondents

(By Shri Mohit Madan for Mrs. Avnish Ahlawat, Adv.)

O R D E R (ORAL)

Shri Justice Ashok Agarwal:-

Applicant had filed OA No.994/1999 seeking
retiral benefits. By an order passed on 10.9.1999
following directions were issued :

"3. In view of this submission made by
Shri Gupta, the O.A. can be disposed of
with a direction that the respondents will
finalise the action within a period of three
months from the date of issue of this order.
The applicant will also be entitled to 12
per cent interest in respect of the delayed

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payment of GPF, Gratuity and Pension from a period three months from the date of his retirement to the date of actual payment. (11)

4. Learned counsel for the respondents vehemently opposed the payment of interest. However, as the applicant has not been found guilty of any charge he is entitled to compensation for the delayed payment of his retiral benefits. The submissions of the learned counsel are, therefore, rejected."

2. Applicant has instituted the present contempt petition stating that though retiral benefits have been paid over to him, interest as directed has not been paid despite representation in that behalf of 3.7.2000. Pending the present petition respondents have paid over to the applicant a cheque of Rs.51,184/- which, according to respondents, is in full satisfaction of his claim in pursuance of the aforesaid order. According to applicant, however, the same does not represent his full claim. According to him, an amount of Rs.56,655/- is due and payable to him. In our judgment, aforesaid claim of applicant cannot be made the subject matter of a contempt petition. If he is aggrieved by the payment made and claims a higher amount, it will be open to him to seek redressal by filing an independent OA. *after making a representation in that behalf to the appropriate authority/authorities*

3. Present contempt petition, in the circumstances, is disposed of with no orders as to costs. Notices issued are discharged.

(Gowindan S. Tampi)
Member (A)

(Ashok Agarwal)
Chairman

/as/