

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

C.P.NO.162/2001
IN
O.A.NO.270/1999

Wednesday, this the 18th day of July, 2001

Hon'ble Shri Govindan S. Tampi, Member (A)
Hon'ble Shri Shanker Raju, Member (J)

M.R.Gupta,
R/O 831, Laxmibai Nagar,
New Delhi-23.

..Petitioner

(Applicant in person)

Versus

Shri B.P.Misra
Joint Controller of Patents & Designs
Patent Office Branch, IIIrd Floor,
Municipal Market Building,
Karol Bagh, New Delhi-5.

...Respondent

(By Advocate: Shri R.P.Aggarwal)

O R D E R (ORAL)

By Hon'ble Shri Govindan S. Tampi, M (A):

In terms of the Tribunal's order dated 5.4.2000 in
OA 270/99, the following orders have been passed:-

"9. In the light of the above discussion, the respondents are directed to re-fix applicant's pay within a period of three months from the date of receipt of a copy of this order under the provisions of FR 22(I)(a)(1); to pay arrears of difference of pay and allowances on account of such re-fixation within a period of another two months, and also to pay interest at the rate of 12% per annum on the said amount w.e.f. 1.12.1989, i.e., three months from the date of filing of O.A.No.1809/89.

10. The O.A. is accordingly allowed in the aforesaid terms. There shall, however, be no order as to costs."

2. The applicant concedes that the respondent has given him due amount of pay and arrears but he has complained against the way in which the interest has been

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calculated. According to him, they have not granted 12% per annum on the amount due w.e.f. 1.12.1989. From the side of the respondent, Shri R.P. Aggarwal, learned counsel states that as indicated in Annexure R-3, the interest have been correctly calculated and the amount has already been granted to the petitioner. While the petitioner seems to think that the Tribunal has granted him the interest from 1989 for the entire amount including those which became due for payment only on subsequent days, the respondents, to state that nothing more has to be done. Thus there is no meeting of minds. On a preliminary examination, we feel that the calculation sheet furnished by the respondent would call for re-examination. The petitioner shall work out and indicate to the respondents what he considers to be the correct amount of interest payable which may be examined by the respondents and a decision should be taken by them in accordance with the rules in force. The petitioner shall file his worksheet within a month from today and thereafter, the respondents shall consider the same within two months. The applicant will be at liberty to come up, if he feels that his legitimate claim has been denied.

3. In the circumstances, the Contempt Petition is disposed of with the above directions. No costs.

Notices are discharged.

S. Raju
(Shanker Raju)
Member (J)

/sunil/

Govindan S. Tampi
Member (A)