

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

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C.P. NO. 195/1998

in

O.A. NO. 2478/1995

New Delhi this the 29th day of June, 1998

HON'BLE SHRI JUSTICE K. M. AGARWAL, CHAIRMAN

HON'BLE SHRI R. K. AHOOJA, MEMBER (A)

R. S. Sharma S/P Pt. Ram Kishan,
Upper Division Clerk,
M/O Surface Transport,
Govt. of India, Transport Bhawan,
1, Parliament Street,
New Delhi-110001.
R/O H.No. 1564, Tula Nagar,,
Kotla Mubarakpur,
New Delhi.

... Applicant

(By Shri M. L. Chawla, Advocate)

-Versus-

Ms. M. Nirmala Rao,
Under Secretary to Govt. of India,
Ministry of Surface Transport,
Transport Bhawan,
1, Parliament Street,
New Delhi.

... Respondent

O R D E R (ORAL)

Shri Justice K. M. Agarwal :-

Heard the learned counsel for applicant on admission.

2. In OA No. 2478/95 decided on 13.3.1997, the respondents were directed to determine the charges for indoor treatment, medical procedures and further medicines etc. which would have been leviable for the treatment of applicant's wife in AIIMS and reimburse the same to the applicant within a period of three

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months with interest at the rate of 12% from the date of filing of the reimbursement papers. The claim was considered and payment made. The learned counsel submits that after a representation was made and a contempt petition filed, further amount of Rs.11,000/- was released in favour of the applicant which would show that calculations were not properly made.

3. Mistake in calculation is one thing and disobedience of an order or direction of the Tribunal is another thing. Admittedly, compliance has been made. The applicant may have a grievance that the calculations were not properly made. If that be so, his remedy is by way of filing a fresh application and not by filing an application for contempt. Substantial compliance has been made and, therefore, no case for contempt is made out. The application is accordingly rejected.

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(K. M. Agarwal)
Chairman

R. K. Ahooja

(R. K. Ahooja)
Member (A)

/as/