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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

C.P. No.45/95 in
O.A. No. 1637 of 1993

Dated New Delhi, this 25th day of July, 1995.

Hon'ble Shri A. V. Haridasan, Vice Chairman (J)
Hon'ble Shri K. Muthukumar, Member (A)

Shri K. D. Jha
S/o Late R. S. Jha
R/o F-1, I.P. College Flats
Shamnath Marg
DELHI - 110 054.

... Applicant

By Advocate: Shri Gyan, Prasad

versus

1. Shri S. Gopalan
Secretary
Ministry of Labour
Shram Shakti Bhawan
Rafi Marg
NEW DELHI.

2. Shri Surendra Nath
Chief Labour Commissioner (C)
Shram Shakti Bhawan
NEW DELHI.

... Respondents

By Advocate: Shri E. X. Joseph

O R D E R (Oral)

Shri A. V. Haridasan

This C.P. arises out of the order in O.A. No.1637 of 1993. The respondents were directed to make payment of the withheld part of the D.C.R.G. with interest at the rate of twelve per cent till the date of payment. The respondents have filed a reply in which they have stated that in compliance with the directions of the Tribunal in O.A.1637/93 dated 16.9.94, payment has already been made to the applicant and a copy of the order regarding payment is placed on record as Annexure R-4. The applicant has filed a rejoinder in which two issues have been raised. The applicant takes exception to the averment in the order at Annexure R-4 that the payment was made subject to the

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decision of the order in Review Application filed by the respondents, and in case, the Review Application happens to be allowed the applicant would be liable to refund the amount. The next point raised by the applicant in the rejoinder is that interest has not been paid upto 31.8.91. However, the learned counsel for the applicant stated that though in the rejoinder he has taken exception to the condition attached to the payment, that point is not been pressed. The learned counsel for the respondents stated that if any amount by way of interest remains to be paid, payment thereof would be made by the respondents within a period of one month. Taking note this fact into account and finding that the respondents have complied with the order of the Tribunal substantially, we do not consider it necessary to proceed further with this C.P.

Hence, this C.P. is dismissed and the notice issued to the respondents is discharged.


(K. Muthukumar)
Member(A)


(A. V. Haridasan)
Vice Chairman(J)

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