

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

**C.P. No.166 OF 2002
IN
O.A. No.2208 OF 2000**

New Delhi, this the 28th day of August 2002

**HON'BLE SHRI M.P. SINGH, MEMBER (A)
HON'BLE SHRI SHANKER RAJU, MEMBER (J)**

Shri C.P.S. Nim
Principal (Retd.)
R/o B-49, Sector-15,
Distt. Gautam Budh Nagar,
Noida (U.P.)Petitioner
(By Advocate : Shri R.R. Sahai for Shri U.S. Chaudhary)

VERSUS

Shri Gyandendra Srivastava
Director of Education,
N.C.T. of Delhi,
Directorate of Education
Old. Sectt. Delhi-110064.Respondent
(By Advocate : Shri Mohit Madan for Mrs. Avnish Ahlawat)

ORDER (ORAL)

Hon'ble Shri M.P. Singh, Member (A):

Heard learned counsel for the parties.

2. The Tribunal vide its order dated 9.8.2001 in OA No.2208 of 2000 has issued the following directions:-

"5. I have considered the case and I am of the considered opinion that the applicant is entitled to interest at the rate specified in notification at Annexure AA to his rejoinder. Hence the OA is allowed to the extent and the respondents shall pay interest at the rate specified in the notification Annexure AA to the rejoinder from the date when the retiral benefits fall due to him till the date of appointment. No costs."



(2)

3. Due to non-compliance of the aforesaid order of the Tribunal by the respondents, the applicant filed CP No.166 of 2002 seeking the following reliefs:-

- "a) initiate contempt of Court proceedings against the respondent for willful disobedience of orders dated 9.8.2001.
- b) directing the respondent to make payment of the amount in terms of orders dated 9.8.2001 passed by this Hon'ble Tribunal alongwith interest at the rate of 12% per annum to the applicant.
- c) directing the respondent to pay appropriate compensation to the applicant on account of mental anguish, agony and harassment caused by contemptuous acts of the respondent.
- d) directing the respondent to pay cost of the proceedings to the applicant."

4. The respondent has filed his reply affidavit and has stated that in pursuance of the aforesaid order of the Tribunal, the applicant has already been paid an amount of Rs.73,761/-. He has been paid interest on delayed payment of gratuity as per Memo dated 25.8.1994, i.e., after three months from the date of retirement of the applicant. In other words, he has been paid interest w.e.f. 1.12.1998 instead of 1.9.1998. The ~~rate of~~ interest has been paid at the rate of 12%, which was prevalent at that point of time.

5. In view of the foregoing paragraphs, we find that the directions given by the Tribunal in OA No.2208 of 2000 dated 9.8.2001 have been duly complied with by the respondent. CP 166 of 2002 is accordingly dismissed. Notices issued to the alleged contemnor is discharged.

S. Raju
(Shanker Raju)
Member (J)

M.P. Singh
(M.P. Singh)
Member (A)

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