

CENTRAL ADMINISTRATIVE TRIBUNAL: PRINCIPAL BENCH

C.P. No. 297/2001 In
Original Application Nos. 441/2000

New Delhi, this the 19th day of September, 2001

HON'BLE MR. V.K. MAJOTRA, MEMBER (A)
HON'BLE MR. KULDIP SINGH, MEMBER (JUDL)

Kewal Kumar Luthra
R-Block 70-D,
Dilshad Garden,
Delhi-110 095.

...Applicant

(By Advocate: Shri S.N. Anand)

Versus

1. Shri R.N. Goel, Secretary,
Department of Telecom.,
Min. of Communications,
Sanchar Bhawan,
20, Ashoka Road,
New Delhi-110 001.
2. B. Sharma
Dy. Director General (Personnel)
Department of Telecom.,
Min. of Communications,
Sanchar Bhawan,
20, Ashoka Road, New Delhi-110 001.
3. Shri Gopal Dass
Chief General Manager,
Northern Telecom Region,
Department of Telecom, Kidwai Bhavan,
Janpath, New Delhi.
4. Shri K.H. Khan
Chief General Manager,
Mahanagar Telephone Nigam Limited,
Khurshid Lal Bhawan,
Janpath, New Delhi.
5. The K.B. Malasi
The Accounts Officer (TA)
Office of Chief General Manager,
Northern Telecom Region,
Department of Telecom,
Prasad Nagar,
New Delhi-110 005. ..Respondents.

By Advocate Shri V.K. Rao.

ORDER (Oral)

Mr. Kuldip Singh, Member (J)

The applicant has filed this Contempt Petition

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alleging that the directions given in the OA No.441/2000 have not been complied with as the respondents have not paid interest on the amounts covered under CGEGIS (Insurance) due to the applicant and as well as the interest on revised pension to which the applicant was entitled under 5th Pay Commission. The learned counsel for the applicant submitted that as per the directions given by this Court, the Tribunal had directed the respondents to calculate the interest and pay it to the applicant at the rate of 12% from the date when the amounts had become due. The learned counsel for the applicant has also submitted that the word "amounts" pertained to entire retiral benefits including CGEGIS and the amount pertaining to the pension to which applicant had become entitled after the revision of the pension under the 5th Pay Commission, has not been paid so far.

2. On the contrary, the learned counsel for respondents pointed out that the word 'amounts', as used in paragraph-5, is not related to this period and the entire order has to be read in toto and since the earlier portion of the order shows that the dispute was with regard to DCRG, Commutation of pension and there was delay of about 5 years in making payment of retiral benefits and the interest had been allowed only on those amounts, so the learned counsel for respondents submitted that the CGEIS amount is not a part of the retiral benefits and that cannot be included as a part of the word 'amounts'.

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3. Besides that, there was no claim in the OA with regard to revised pension to which the applicant had became entitled after 5th Pay Commission.

4. We have gone through the OA as well as the orders and we are of the considered opinion that the directions given to the respondents were only with regard to delayed payments of DCRG and that of commutation of pension as well as PPO which was issued on 16.6.99 as indicated in paragraph-1 of the judgment, as such the directions in this regard have been fully complied with by the respondents.

5. In view of the above, the C.P. is dismissed. Notices issued to the alleged contemners are discharged.


(Kuldip Singh)

Member (J)


(V.K. Majotra)

Member (A)

cc.