

(6)  
38

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH  
NEW DELHI.

CCP 246/93 in  
OA 1049/88

New Delhi, this the 16th day of December, 1993.

Hon'ble Mr S.K.Dhaon, Vice Chairman.  
Hon'ble Mr B.N.Dhoundiyal, Member(A).

Shri Ramesh Chand,  
R/O DDA Flat No. IA-32/A,  
Ashok Vihar, Phase-I,  
Delhi-110052. . . . . Petitioner.

( through Mr V.P.Kohli, Advocate).

vs.

Shri S.N.Mathur,  
General Manager,  
Northern Railway,  
Baroda House,  
New Delhi. . . . . Respondent.

( through Mr N.K.Aggarwal, Advocate).

O r d e r (oral)

Per S.K.Dhaon, Vice Chairman

A counter has been filed by one Mr Rahul Jha, described as Dy.C.P.O., Headquarters Office, Baroda House, Northern Railway, New Delhi. In this affidavit, it is stated that on 2.11.1993, the Railway Board took a decision to implement the decision of this Tribunal provisionally subject to the final disposal of the S.L.P. pending in the Supreme Court in Sharan's case(OA No.364/86) filed against common judgment. The prayer is that six weeks' time may be granted to them to make necessary payment to the petitioner in terms of orders of this Tribunal dated 20.11.1992.

84



2. Mr Aggarwal states that similar contempt matters have been disposed of by other Courts. Learned counsel for the applicant states that he figures as counsel in those cases. He further states that instead of six weeks, four weeks time may be granted to the respondents to implement the decision of the Tribunal.

3. Learned counsel for the respondents states that the respondents may be granted four weeks time so as to enable them to make <sup>by</sup> necessary payments to the petitioner in terms of order dated 2.11.1992 passed by this Tribunal. Time allowed. However, we make it clear that the respondents shall be liable to pay interest to the petitioner on the amount, which is ultimately paid to him, at the rate of 12% per annum. The interest shall be computed from today. The learned counsel for the petitioner states that no Spl. ~~Leave~~ petition has been preferred against the petitioner. If that be so, the payment shall be made to the petitioner without imposing the condition that the same shall be subject to the decision of the Supreme Court in the S.L.P.

4. With these observation, the CCP is dispose of finally, without any order as to costs.

/sds/

B.N. Dhoundiyal  
(B.N.Dhoundiyal)  
Member(A).

S.K. Dhaon  
(S.K.Dhaon)  
Vice Chairman