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CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH,
NEW DELHI.

CCP No. 370 of 1992 in
DA.1871/99.
Swarndeep Singh Ratra

Date of order: 20.7.93.

.....Petitioner.

Versus

Union of India & others Respondents.

For the petitioner: Shri R.P.Oberoi, counsel.

For the respondents: Shri H.K.Gangwani, counsel.

CORAM:

Hon'ble Mr.Justice V.S.Malimath, Chairman.

Hon'ble Mr.S.R.Adige, Member(A)

ORDER

(By Hon'ble Mr.Justice V.S.Malimath, Chairman)

The respondents have filed reply regarding compliance. The stand taken is that though the cheque was tendered to the petitioner, it was not accepted. It is, however, submitted by Mr.Oberoi-learned counsel for the petitioner that the cheque was not drawn in the correct way and, therefore, it was not accepted. Learned counsel for the respondents says that thereafter the cheque was corrected and the same was tendered and even then the petitioner declined to accept. The cheque is dated 15.7.93 for a sum of Rs.12,350/-.

Shri Oberoi submitted that because the cheque had been corrected, though duly signed, we should direct that a fresh cheque be drawn. Shri Gangwani submits that there is no justification for apprehension as the cheque has been duly corrected and the respondents will be responsible if the cheque is not honoured.

In the circumstances, we do not see any good reason why the bank should not honour the cheque which has been duly corrected and the cheque now tendered by the respondents' counsel was duly accepted by Shri Oberoi on behalf of his client who is present in the court.

This shows that there has been due compliance of the judgment of the Tribunal.

2. It was next contended by Shri Oberoi that we should award costs and interest on the delay payment. Learned counsel for the respondents submitted that the petitioner himself owes a considerable amount of the Administration and that he has been guilty for delay in receiving the cheque when it was offered. It was also submitted that the respondents are filing appeal in the Supreme Court. All this, according to him, explains the delay. Be that as it may, we consider it just and proper to direct the respondents to pay the petitioner a consolidated sum of Rs.2000/- towards interest and costs within four weeks from this date. If the said amount is not paid in time, it shall be paid with interest at the rate of 12% per annum from this date till the date of payment. With these directions, this CCP stands disposed of.

Anfoli
(S.R.ADIKE)
MEMBER(A)

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(V.S.MALIMATH)
CHAIRMAN.

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