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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH  
NEW DELHI

C.P. NO. 391/93 in  
O.A. NO. 2415/89

New Delhi this the 11th day of May, 1994

CORAM :

THE HON'BLE MR. JUSTICE V. S. MALIMATH, CHAIRMAN  
THE HON'BLE MR. P. T. THIRUVENGADAM, MEMBER (A)

1. The Council of Scientific & Industrial Research,  
Anusandhan Bhawan,  
Rafi Marg, New Delhi  
through Mrs. Manju Bagai,  
Legal Adviser.
  2. Central Road Research Institute,  
Mathura Road, New Delhi,  
through Shri K. R. Sharma,  
Sr. Controller of Administration.... Petitioners
- By Advocate Shri V. K. Rao

Versus

Shri R. B. Lal S/O Late Shri  
B. N. Aggarwal,  
E-82, Amar Colony,  
Lajpat Nagar-IV,  
New Delhi. .... Respondent

In person

O R D E R (ORAL)

Shri Justice V. S. Malimath -

The respondent was directed by the Tribunal by its order made in O.A. No. 2415/89 to vacate the premises and to pay penal licence fee of Rs.2500/- from the date permission was accorded to him for further retention of the quarters till the date he hands-over possession to the petitioners. The judgment was rendered on 23.7.1992. The respondent, however, handed over possession on 30.11.1992. One of the contentions raised by the petitioners' counsel is that the C.S.I.R. revised the rate of penal licence

fee w.e.f. 23.7.1992, the date of the judgment, to Rs.3150/- and that, therefore, they would be entitled to recover the said higher amount from the respondent from 23.7.1992 to 30.11.1992, the date of handing over possession. It is not possible to accede to this contention. The direction in the judgment is clear. It is clear that the respondent shall pay at the rate of Rs.2500/- per month from 1.7.1988 till the date of handing over possession and any increase made on 23.7.1992 cannot come to the advantage of the petitioners. Both the parties are governed by the directions of the Tribunal. Hence, we decline the request of the petitioners for permission to recover penal licence fee in excess of Rs.2500/- per month from 23.7.1992 onwards.

2. The counsel for the petitioners pointed out that an amount of Rs.4640/- towards gratuity amount has been retained by them. By an interim order we had authorised the petitioners to deduct, with the consent of the respondent, a sum of Rs.500/- from the pension payable to the respondent. After discussion and with the consent of the respondent, we increase the deduction to Rs.750/- per month.

3. For the reasons stated above, this C.C.P. is disposed of with the direction that the petitioners shall deduct a sum of Rs.750/- per month from hereof from the pension payable to the respondent and also appropriate the sum of Rs.4640/- payable towards the gratuity amount. The deduction shall be made until the entire amount due to the petitioners is recovered.

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It is made clear that the petitioners shall not be entitled to claim any interest on the amount due to them in this behalf. If the respondent has paid any other amounts, the same shall be properly accounted and taken into credit towards the arrears payable by the respondent.

4. These proceedings are dropped.

P. T. Thiruvengadam

( P. T. Thiruvengadam )  
Member (A)

V. S. Malimath

( V. S. Malimath )  
Chairman,

/as/