

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

CP No.12/94 in OA No.2136/89

NEW DELHI THIS THE 15TH DAY OF SEPTEMBER, 1994.

**MR.JUSTICE S.K.DHAON, ACTING CHAIRMAN
MR.B.N.DHOUNDIYAL, MEMBER(A)**

Shri Manmohan Singh
S/o Shri G.S.Rose
R/o BD-99 Janakpuri
New Delhi

PETITIONER

BY ADVOCATE SHRI S.K.SAWHNEY.

Vs

Shri Masih-Uz-Zaman
General Manager
Northern Railway
New Delhi

Shri Tribhuwan Gupta
Divisional Supdtg. Engineer(Estate)
Northern Railway
DRM Office
New Delhi

RESPONDENTS

BY ADVOCATE SHRI ROMESH GAUTAM.

ORDER(ORAL)

Justice S.K.Dhaon:

Under the directions of this Tribunal dated 29.9.92, the respondents were required to pay to the petitioner the arrears of Death-Cum-Retirement Gratuity together with interest @ 12% p.a. thereon. The payment had to be made within a period of three months from 29.9.1992.

2. Indisputably, the entire amount payable to the petitioner towards Death-Cum-Retirement Gratuity has been paid and that sum comes to Rs.29040. However, Rs.2546/-only has been paid towards interest. Counsel for the petitioner states that the total interest payable is Rs.5800/-. Therefore, there is a shortfall of Rs.3254/-. Shri Romesh Gautam, learned counsel for the respondents ^{if} concedes, that the stand taken by the respondents that interest becomes payable from the date on which the petitioner vacated the official quarter is not accepted, the interest payable to the petitioner will be Rs. 5800/-.

3. We are informed at the Bar by the counsel for the respondents that the petitioner has not cleared the

arrears of rent/damages. He has also not cared to pay the electricity and water charges. Shri Gautam urges that it is not a fit case where we should insist upon the payment of arrears of interest viz. Rs.3254/- by the respondents. We are inclined to agree with this submission. The petitioner shall either pay in cash, the entire amount of arrears of rent/damages including the electricity and water charges or it will be open to the respondents to adjust the said arrears with the remaining amount of Rs.3254/-. If any balance remains, the same shall be paid to the petitioner within a reasonable period. We reserve the right of the respondents to recover the balance of the arrears from the petitioner by taking recourse to such proceedings as are admissible under the law.

4. With these directions, this contempt petition is disposed of. Notice issued to the respondents is discharged. No costs.

b.n.dhundiyal
(B.N.DHUNDIYAL)
MEMBER(A)
SNS

S.K.Dhaon
(S.K.DHAON)
ACTING CHAIRMAN