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finally. The representations dated 7.5.90 and 21.5.90 remain unanswered.

for implementation of the judgment of the Tribunal dated 5.1.90.

4. The respondent, on the other hand, moved a Misc. Petition on 2.5.1990 seeking extension of time upto 31st August, 1990 or for a period of 15 days from the date of final decision in the Review Application filed by them on 9.2.1990, whichever is earlier. When this M.P. as well as the C.C.P. and the R.A. came up for hearing on 3.9.1990, the learned counsel for the respondent in the C.C.P. and for the Review Applicant as well as the petitioner in the M.P., submitted that he is moving another M.P. for further extension of time for complying with the judgment in view of the fact that the R.A. filed by them had not yet been disposed of. He also submitted that the respondent in O.A. 857/89 had no intention whatsoever not to comply with the directions of the Tribunal in the judgment dated 5.1.90, and that the respondent herein sincerely believed that there was an error apparent on the face of the judgment, which needed to be corrected.

5. We have by a separate order dated September 5, 1990 passed our orders in R.A. 32/90 and have dismissed the same. In the circumstances of the case, we do not see any concrete evidence of any wilful intention on the part of the respondent in defying the directions of the Tribunal in its judgment dated 5.1.90. As the Review Application No. 32/90 has since been dismissed, we hope that the respondent will comply with the directions given in the judgment dated 5.1.90 within 15 days of this order. The prayer of the petitioner for payment of interest at the rate of 18% per annum on the arrears of pay and allowances, with effect from 11.10.85 and cost of approximately Rs. 5,500 in the O.A., fall outside the scope of C.C.P. and these are accordingly not tenable. For the reasons given above, the C.C.P. is also dismissed and the notice

issued to the respondent is hereby discharged. We leave the parties to bear their own costs.

Jomaree

(J.P. SHARMA)
Member (J)

Case 599/90

(P.C. JAIN)
Member(A)