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**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

C.P. 25/2006
O.A. 1235/2004

New Delhi, this the 24th day of May, 2006

Hon'ble Shri Justice M.A Khan, Vice Chairman (J)
Hon'ble Shri V.K. Agnihotri, Member (A)

Sh. H.C. Gupta (Age 65 yrs.)
S/o Late Sh. Devi Das Gupta,
R/o I-7/27, Sector-16,
Rohini, Delhi-85

.....Applicant

(By Advocate Sh. M.K. Bhardwaj)

V E R S U S

Union of India & Ors.
Through

1. Subir Dutta
Secretary,
Ministry of Defence,
Central Secretariat,
South Block,
New Delhi-110 001.
2. Lt. Gen. Randir Singh,
Engineer-in-Chief,
E-in-C's Branch,
Army HQrs., Kashmir House,
New Delhi.
3. Maj. Gen. A.K. Bedi,
Chief Engineer Western Command,
Chandi Mandir-134 107.
4. Maj. Sameer Balodi,
GE/E/M (Plant & Machinery),
Delhi Cantt.-10.

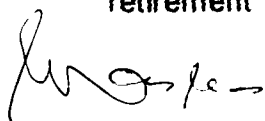
.....Respondents.

(By Advocate Shri Ashwani Bhardwaj)

O R D E R (ORAL)

Shri Justice M.A. Khan, Vice Chairman (J)

By order dated. 16.2.2005 in OA 1235/2004, the respondents were directed to pay simple interest @ 12 % per annum on delayed payment for the period from deeming date of payment 3 months from the date of the retirement and actual payment of gratuity, leave encashment and



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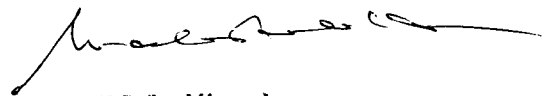
commutation within two months from the date of receipt of a copy of this order. The respondents have paid the interest due as per this order to the applicant. The applicant is not satisfied and learned counsel for applicant has submitted that there was delay in the payment of the amount of interest, which was ^{paid} to the applicant on 28.2.2006. According to the learned counsel for applicant, the respondents while implementing the order of the Tribunal dated 16.2.2006, ought to have also paid interest on the delayed amount of interest at simple interest rate of 12 % per annum for the period during which the payment of interest was delayed.

2. The respondents have paid the amount, which was directed to be paid by the order passed by Tribunal dated 16.2.2005. It is submitted that in terms of the direction dated 16.2.2005, the interest was payable on the amount of gratuity, leave encashment and commutation ~~on amount~~ from 1.7.2001 to 30.6.2002, when these amounts were paid to the applicant, at the rate of 12 per cent per annum, ~~for delay from 1.7.2001 to 30.6.2006~~. This amount of interest has been duly paid by the respondents. There is no dispute about it. There was no direction of the Tribunal to pay any further interest on the amount of interest, which was paid under the order dated 16.2.2005. Accordingly, we do not find that there is case for initiating proceedings for contempt against respondents. Accordingly, notices issued earlier stands discharged. The C.P. is dismissed.



(V.K. Agnihotri)
Member (A)

/Lg/



(M.A. Khan)
Vice Chairman (J)