

10

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

CP 41/2006  
OA 1343/2004

New Delhi, this the 30<sup>th</sup> day of January, 2006

**HON'BLE MR. V.K. MAJOTRA, VICE-CHAIRMAN (A)**  
**HON'BLE MR. MUKESH KUMAR GUPTA, MEMBER (J)**

L.D. Sharma, SE (Retd.)  
A-163, Fateh Nagar,  
New Delhi – 110 018.

... Applicant.

(By Advocate Shri Rajeev Kumar for Sh. Harvir Singh)

VERSUS

1. Shri Ajay Singh  
Secretary, Ministry of Defence,  
Government of India,  
South Block, New Delhi.
2. Lt. Gen. Ranjit Singh, SM  
Engineer-in-Chief,  
AHQ Kashmir House,  
New Delhi – 110 011.
3. Maj. Gen. A.K. Bedi  
Chief Engineer,  
Headquarters Western Command,  
Engineers Branch,  
Chandimandir – 134 107.
4. Shri A.K. Jain  
Headquarters Chief Engineer,  
Chandigarh Zone  
Area Airport Road  
Chandigarh – 160 003.
5. Col. SPS Kohli, CWE (P)  
Patiala,  
Building No.26,  
New Lal Bagh, Patiala 147 001.  
Punjab.

... Respondents / Contemnors

**O R D E R (ORAL)**

**By Hon'ble Mr. Mukesh Kumar Gupta:-**

We have perused the Contempt Petition preferred by the applicant.  
Initially, the OA was disposed of vide order dated 03.2.2005 issuing the following  
directions:-

20

"5. In this view of the matter, we direct the respondents to settle the dues of the applicant and in this process he would render utmost cooperation and also furnish relevant information as sought. The reliefs prayed for shall be disbursed to the applicant before 31.8.2005. The applicant shall also be entitled to interest at the simple rate of 9% per annum on the delayed payments.

6. The present OA is disposed of in terms of the directions given above. No costs." (emphasis supplied).

2. Subsequently on MA filed by respondents seeking extension of time, order was passed on 26.10.2005 as in the meantime, i.e. 18.10.2005, the orders relating to payment of arrears and interest were issued by the respondents. The order to that effect reads as follows:-

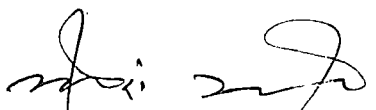
"Heard.

Learned counsel of respondents has filed copy of their orders dated 18.10.2005 in implementation of Tribunal's directions contained in order dated 3.2.2005 in OA-1343/2004. He stated that while orders relating to payment of arrears and interest have been passed by the respondents, these amounts including arrears shall be paid to the applicant, shortly.

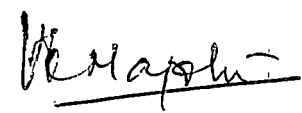
In view of orders passed by respondents on 18.10.2005, this MA has rendered infructuous. Ordered accordingly." (emphasis supplied).

3. By the present Contempt Petition, applicant seeks direction for initiation of contempt proceedings against the respondents stating that the penal interest should be increased from 9% to 18% beyond 31.08.2005 as well as that the interest should be reckoned since the year 1992 and not from the year 1998 when it was so granted. This cannot be the subject matter of the contempt proceeding particularly when such were not the directions issued to respondents, as noticed hereinabove. The directions issued had been duly complied with by the respondents by passing order dated 18.10.2005.

4. Accordingly, contempt petition is totally misconceived and is dismissed.

  
(Mukesh Kumar Gupta)  
Member (J)

/gkkl

  
(V.K. Majotra)  
Vice-Chairman (A)  
30.1.06