



**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

**C.P. No.235 of 2006
IN
O.A. No.1091 of 2004**

New Delhi. this the 18th day of October, 2006

**HON'BLE SHRI SHANKER RAJU, MEMBER (J)
HON'BLE SHRI N.D. DAYAL, MEMBER (A)**

Palley S/o Shri Bangali,
Ex Safai Wala, under CHI/NDLS
R/o A-1/341, Sultan Puri,
New Delhi-110041.

.....Applicant.

(By Advocate : Shri M.L. Sharma)

Versus

Shri Pradeep Kumar
Divisional Railway Manager,
Northern Railway,
New Delhi.

.....Respondents.

(By Advocate : Shri A.K Srivastava)

ORDER (ORAL)

SHRI SHANKER RAJU, MEMBER (J) :

Heard the learned counsel for the parties.

2. Whereas our directions dated 18.7.2005 in OA 1091/2004 were to the effect that pensionary benefits and arrears of the applicants from due date have to be released by treating his qualifying service as 11 years, 6 months and 7 days as was approved by the DPO, but from the perusal of the orders passed by the respondents on 17.3.2006 in compliance of the aforesaid order, we find that revised pensionary benefits and arrears have been sanctioned by treating the qualifying service as 11 years and 4 months, which is a blatant violation of our directions which cannot be countenanced in law. If it is an inadvertent error, we direct the respondents to recalculate the revised pensionary benefits of the



applicant by treating the qualifying service as 11 years, 6 months and 7 days, as was approved by the DPO and disburse the same to the applicant within four weeks from the date of receipt of a copy of this order, failing which we shall be constrained to take a serious view in the matter, which will also extend the liberty to the applicant to revive the present Contempt Petition.

3. In view of the above directions, the present Contempt Petition is disposed of. Notice is discharged.



**(N.D. DAYAL)
MEMBER (A)**



**(SHANKER RAJU)
MEMBER (J)**

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