

Central Administrative Tribunal
Principal Bench, New Delhi.

CP-424/2004
OA-1724/2004

New Delhi this the 2nd day of September, 2005.

Hon'ble Shri V.K. Majotra, Vice-Chairman(A)
Hon'ble Shri Shanker Raju, Member(J)

Shri Kapil Kumar,
Assistant Director(Rehabilitation)
VRC for Handicapped A.T. -1 Campus,
Gill Road Ludhiana.

..... Petitioner

(through Sh. V.P.S. Tyagi, Advocate)

Versus

1. Sh. K.M. Saini,
Secretary Ministry of Labour,
Shram Shakti Bhawan,
New Delhi.
2. Sh. R.K. Ahluwalia,
Under Secretary to the Govt. of
India, Ministry of Labour & Employment,
(Directorate General of Employment &
Training), New Delhi.
3. Sh. Sukh Dev Singh,
DDT/Head of Office,
Ministry of Labour & Employment(DGET),
VRC for handicapped A.T.I. Campus,
Gill Road, Ludhiana.

..... Respondents

(through Sh. Rajeev Bansal, Advocate)

Order (Oral)

Hon'ble Shri V.K. Majotra, Vice-Chairman(A)

Heard.

2. Vide order dated 21.7.2004 OA-1724/2004 was decided directing the respondents not to operate respondents' orders dated 25.6.2004 till applicant's representation dated 21.3.2004 was considered and disposed of by a reasoned and speaking order. It is found from the documents submitted before us that despite directions to respondents not to operate their orders dated 25.6.2004, they recovered the disputed amount of Rs. 20,895/- on 20.10.2004.

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Respondents have now passed order dated 9.3.2005 disposing of applicant's representation dated 21.3.2004 whereby they have given reasons why the said recovery has to be effected against the applicant. Respondents are guilty of having violated Tribunal's directions in retaining the said amount with them against the directions of the Tribunal from 20.10.2004 to 8.3.2005. Thereafter, on 9.3.2005 of course, they could have recovered the amount from the applicant in terms of detailed orders passed by them on 9.3.2005. In this backdrop, applicant is entitled to interest @ 9% on the said amount for the period from 20.10.2004 to 8.3.2005. This amount be paid to the applicant within a period of 7 days' from today. These proceedings are dropped taking a lenient view in the matter and notices to the respondents are discharged. Applicant shall have liberty to resort to legal proceedings on remaining aggrieved now.

S. Raju
(Shanker Raju)
Member(J)

V.K. Majotra
(V.K. Majotra) 2.9.05
Vice-Chairman(A)

/vv/