

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

CCP No.216 of 1993 in

O.A. No.1184 of 1992

New Delhi this the 16th day of December, 1993

Mr. Justice S.K. Dhaon, Vice-Chairman

Mr. B.N. Dhoundiyal, MEMBER(A)

Shri Kedar Nath
R/o B-2/207, Paschim Vihar,
New Delhi.

...Petitioner

By Advocate Shri P.I. Mimroth

Versus

1. Shri R.K. Takkar,
Chief Secretary,
Delhi Administration,
5, Alipur Road,
Delhi.
2. Shri A.C. Kher,
Director of Employment Exchange,
Delhi Administration,
2, Battery Lane,
Delhi. ...Respondents

By Advocate Shri Anoop Bagai

ORDER (ORAL)

Mr. Justice S.K. Dhaon, Vice-Chairman

By interim order dated 3.10.1992 passed in O.A. No.1184 of 1992, this Tribunal directed the respondents to pay certain retiral benefits to the petitioner. The O.A. is still pending its decision in this Tribunal.

2. It appears that the petitioner was facing a criminal charge when an order retiring him compulsorily was passed. The principal relief claimed in the O.A is that the order of compulsory retirement may be quashed.

3. The grievance is that although some payments have been made to the petitioner under the interim order aforementioned, the payments as permissible in law, have not been made.

4. A counter-affidavit has been filed. In it, it is averred, and this averment is not denied by the petitioner, that a provisional pension has been fixed and being paid to the petitioner month by month. The

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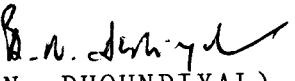
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grievance is that the pension has been computed on the old rates and not on the revised rates. The learned counsel has also admitted that a representation has already been made by the petitioner and the same is pending consideration. In the circumstances of the case and in view of the fact that the O.A. has not been disposed of finally, we feel that this is not a case in which it can be said that the respondents have wilfully disobeyed the interim order passed by this Tribunal.

(21)

5. The authority concerned shall dispose of the representation of the petitioner by passing a speaking order within a period of 3 months from the date of presentation of a certified copy of this order by the petitioner before it.

6. The contempt petition is rejected and the notices issued to the respondents are discharged. There shall be no order as to costs.


(B.N. DHOUNDIYAI)

MEMBER (A)


(S.K. DHAON)

VICE CHAIRMAN

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