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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

OA No.755/92

Decided on: 26-8-93

Common Cause Society & Another

...Applicants

Verus

Union of India

...Respondent

CORAM:

THE HON'BLE MR. JUSTICE V.S.MALIMATH, CHAIRMAN.
THE HON'BLE MR. S.R.ADIGE, MEMBER(A).

For the applicants

...Shri R. Doraiswamy, Counsel

For the respondents

...None.

JUDGMENT (ORAL)

(By Hon'ble Mr. Justice V.S.Malimath, Chairman) :

In an identical case, a Full Bench of this Tribunal in OA No.1678/90 and connected case decided on 4-8-93 has directed the refund of two months' gratuity which was withheld within a period of three months from the date of receipt of a copy of the judgment subject to the condition that in the event of the Supreme Court allowing Civil Appeal No.1799/92 and reversing the judgment of the Chandigarh Bench of the Tribunal, the petitioner shall be liable to refund the said amount to the respondents. Hence, we are inclined to pass similar order in this case as well. Hence, we direct the respondents to refund Rs.2400/- which has been withheld within a period of three months from the date of receipt of a copy of this judgment subject to the condition that in the event of the Supreme Court allowing Civil Appeal No.1799/92 and reversing the judgment of the Chandigarh Bench of the Tribunal, the petitioners shall refund the said amount to the respondent. The parties shall bear their own costs.

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(S.R.ADIGE)
MEMBER (A)

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Malimath
(V.S.MALIMATH)
CHAIRMAN