

(Open Court)

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD

CONTEMPT PETITION NO. 105 OF 1996
Arising out of O.A. No.1207 of 93]

Allahabad, this the 1st day of April, 1999.

CORAM : Hon'ble Mr. S.Dayal, Member(A)
Hon'ble Mr. S.L.Jain, Member(J)

Nathi Singh, S/o. Late Sri Lala Ram,
R/o. House No.552-A Mohlipur,
Distt. Mathura.

..... APPLICANT

(By Sri B.Tewari, Advocate)

Versus

1. Sri R.N.Aga, D.R.M., Central Railway, Jhansi.
2. Sri Manoj Pandey, Senior Divisional Personnel Officer, D.R.M. Office, Central Railway, Jhansi.

..... OPP.PARTY
RESPONDENTS

(By Sri A.K.Gaur, Advocate)

O R D E R (Open Court)

(By Hon'ble Mr. S.Dayal, Member(A))

This contempt petition has been filed for taking action against the opposite parties under Contempt of Court Act for wilful disobedience of Court's order dated 21-3-96 passed by the Bench in original application No.1207 of 1993 in Nathi Singh Vs. Union of India. The direction was given to the respondents to clear all the retiral benefits of the applicant which were not paid on 21-3-96 within a period of three months from the date of the order. The opposite parties had filed counter reply in which they had given

details of payments made to the applicant alongwith dates of the payment. The only question is made whether payment of difference of Rs.150/- per month in salary at item (h) has been made or not. The opposite parties ~~have~~^{were} directed to file a Supplementary Affidavit by order dated 7-5-97. A Supplementary Affidavit filed on 14-10-97 is on record in which it has been mentioned that Rs.13655/- has been paid towards the difference of pay for the period 1-1-86 to 31-1-93 by cheque no.530628 dated 11-6-97. In view of this no case for wilful default of the order of the Tribunal has been made out.

2. There is delay in payment of the arrears, but that cannot be taken as a ground for holding that the respondents have committed wilful default of the orders of the Tribunal. Hence the case for Contempt against the opposite parties is dropped and the notices issued to them are discharged.

SJM /

MEMBER(JUDICIAL)


MEMBER(ADMN.)

/satya/