

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL      ALLAHABAD BENCH

ALLAHABAD.

Allahabad this the 11th day of May 2001.

Contempt Application no. 26 of 2001  
Original Application no. 892 of 1999

Hon'ble Mr. Justice R.R.K. Trivedi, Vice-Chairman  
Hon'ble Maj Gen KK Srivastava, Member-A.

Smt. Girja Devi  
W/o late Bangali Babu,  
C/o Shri Raj Kumar Gupta,  
Gupta Medical Stores, Nagla Beeh,  
Ferozabad (UP).

... Applicant

C/A Sri A.B.L. Srivastava

Versus

1.      Shri PM Som,  
Secretary to Govt. of India,  
Department of Post  
and  
Director General of Post,  
Dak Bhawan, Sansad Marg,  
NEW DELHI.
  
2.      Shri P.K. Gopi Krishan,  
Post Master General, Agra Region,  
AGRA.
  
3.      Shri Uday Krishan,  
Director of Postal Accounts (Audit)  
UP Circle,  
LUCKNOW.

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4. Shri D.N. Verma,  
Supdt Post Offices,  
Etah Division,  
ETAH.

... Respondents

C/Rs Sri R. Chaudhary

O R D E R (Oral)

Hon'ble Mr. Justice RRK Trivedi, Vice-Chairman

This contempt application was filed expressing grievance for non compliance of the order of this Tribunal's dated 26.5.2000 passed in OA 892 of 1999. The penultimate paragraph containing direction reads as under :-

" It is admitted fact that the authorities cancelled the order of the year 1993 by virtue of a 1997 letter without giving the applicant an opportunity to show cause. Consequently, the order dt. 24.2.99 of respondent no. 3 read with letter dt. 4.3.99 of respondent no. 4 are illegal and hence quashed with direction to resume payment of the family pension as due to the applicant as per rules with the arrears. An 11% interest be paid on the arrears from the date, payment had become due."

2. In suppl counter affidavit filed by respondent no. 4 Shri D.N. Verma, it has been stated that the order dated 26.5.2000 passed by this Tribunal has been fully complied with and the applicant, Smt. Girja Devi, has been



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paid arrears of family pension from October 1998 to February 2001 with interest thereon @ 11% p.a. totaling a sum of Rs. 59,835/- on 10.04.2001. The amount further includes Rs. 6761/- as interest @ 11% pa. Photo copy of vouchers dated 10.4.2001 has also been filed as annexure to the counter affidavit.

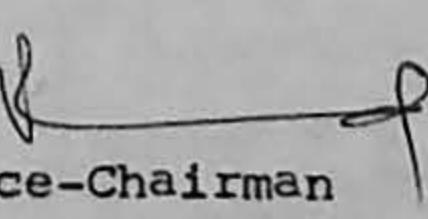
3. Shri A.B.L. Srivastava, learned counsel for the applicant has not disputed that the aforesaid amount has been paid to the applicant. He has only submitted that the respondents should have stated the break up of the amount showing that the order has been complied with.

4. We have considered this aspect and in our opinion para 2 of the supp. CA contains sufficient details to check the amount that it represents the whole claim. Learned counsel for the applicant also submitted that there was delay which was intentional and the respondents be punished for the same. As order has been complied with, <sup>though</sup> even after some delay, we do not find fit case to punish the respondents for <sup>Committing Contempt of The tribunal</sup> doing contempt of court <sup>order.</sup>

5. For the above, the contempt application is dismissed. Notices issued are discharged.

6. Order shall be given to learned counsel for the parties within 2 weeks.

  
Member-A

  
Vice-Chairman

/pc/