

**Central Administrative Tribunal, Allahabad Bench, Allahabad**

**This the 04<sup>th</sup> day of October, 2021.**

**Hon'ble Mr. Tarun Shridhar, Member (A)**

**Hon'ble Ms. Pratima K Gupta, Member (J)**

**Civil Contempt Petition No.330/00055/2020**

**In**

**Original Application No. 330/00333/2019**

Kalasiya Devi aged about 73 years widow of Late Yogendra Rai R/o Village-Mansinghpur, Bijrauli, District-Vaishali (Bihar).

**.....APPLICANT**

**By Advocate: Shri Pradeep Kumar Mishra and Shri Rajesh Kumar**

**Versus**

1. Shri Amitabh, Divisional Railway Manager, North Central Railway, Prayagraj.
2. Shri Deepak Madhore, Branch Manager, Central Bank of India, Branch-Jasparha, District-Vaishali 844505 (Bihar)

**.....RESPONDENTS.**

**By Advocate: Shri Pramod Kumar Pandey**

**ORDER**

**Delivered By Hon'ble Mr. Tarun Shridhar, Member (A)**

Shri Rajesh Kumar, learned counsel for the petitioner and Shri Pramod Kumar Pandey, learned counsel for the respondents, are present.

2. Heard learned counsel for both the parties and perused the records.
3. The instant contempt petition i.e. C.P. No. 330/55/2020 has been filed alleging non-compliance of the order passed by this Tribunal on 24.08.2021 in O.A. No. 330/333/2019. The operative part of the Order reads as under:

*“Considering all the facts and circumstances of the case and specially the age of the applicant, as she is already 72 years of age, moreover when*

*there is no denial of the averments related to facts, as mentioned in the O.A., and keeping in view that a letter in this regard has already been issued by the Divisional Railway Manager, North Central Railway, Allahabad to branch manager of pension disbursing bank, this original application is finally disposed of with a direction to the respondents to ensure the payment of family pension and the arrears accrued so far since after six months from lodging of FIR on 21.11.2007, along with interest at the prevailing rate, to the applicant, within a period of six weeks from the date of receipt of a certified copy of this order.”*

4. Learned counsel for the petitioner submits that as far as respondent No. 1 i.e., The DRM, North Central Railway, Prayagraj is concerned, the contempt proceedings can be dropped as the Railways have discharged their part of the obligation which accrues pursuant to the aforesaid order in the O.A. He expresses satisfaction that the authorities have issued revised Pension Payment Order (PPO) and also paid the arrears which have accrued to the petitioner.

5. However, he points out that the order dated 24.08.2020 categorically mentions that the arrears shall be paid along with the interest on the prevailing rate and according to him, to this extent, the order has not been complied with, the onus of which lies upon respondent No. 2 i.e., the Branch Manager of Central Bank of India.

6. Since the order has been substantially complied with, the present contempt proceedings are **dropped** and the notices are **discharged**. However, before parting with the case, a fresh direction is issued to the respondent No. 2 to ensure that whatever interest is rightfully due to the petitioner on the arrears, it should be paid forthwith and preferably within eight weeks from the date of receipt of certified copy of the order.

(Pratima K. Gupta)  
Member (J)

(Tarun Shridhar)  
Member (A)

(Ritu Raj)