

**Central Administrative Tribunal
Jaipur Bench, Jaipur**

O.A. No.122/2021

Date of decision:06.04.2021

**Hon'ble Mr. Dinesh Sharma, Member (A)
Hon'ble Mrs. Hina P. Shah, Member (J)**

Krishan Kumar Nagar S/o N.C.Nagar, age 60 cast Brahmin
R/o 58 Godara Colony, Khatipura Road, Jhotwara Jaipur
(Raj.) Retired from BSNL as Office Superintendent (P) Office
of the PGMTD Jaipur (Raj.) Mob 9413236539.

...Applicant.

(By Advocate: Shri H.R.Dhaka)

Versus

1. Chief Managing Director, Bharat Sanchar Nigam Ltd. 4th
Floor Bharat Sanchar Bhawan, Janpath, New Delhi-
110001.
2. Chief General Manager, Telecom Rajasthan Circle,
Sardar Patel Marg, C-Scheme, Jaipur-302008.
3. Principle General Manager, Telecom District Jaipur
Opposite Jaipur GPO MI Road, Jaipur-302008.

...Respondents.

ORDER (ORAL)

Per: Dinesh Sharma, Member (A):

Heard the matter at the admission stage.

2. The applicant has prayed for payment of interest @
18% w.e.f from 01.04.2017 on an amount of Rs.1,25,074.
This amount, he states, was illegally recovered from him and
was finally refunded on 30.03.2020, following an order of
this Tribunal in OA No.60/2018 and his Contempt Petition

(2)

No.3/2020. On going through our decision in OA No.60/2018, annexed as Annexure A/1 with this OA, we find that the applicant had prayed for refund of the amount of Rs.1,25,074 with 18% interest in that OA. The Tribunal, by its order dated 19.09.2019, directed to return the amount of Rs.1,25,074 within a period of two months from the date of receipt of a certified copy of that order. This was done in view of the ruling of the Apex Court in **State of Punjab and Others vs. Rafiq Masih** (2015) 4 SCC 334. Since the applicant had prayed for grant of interest in OA No.60/2018, which was not allowed by the Tribunal's order dated 19.09.2019, we find the present OA, on the same matter, seeking the same relief (of grant of interest) is clearly barred by the principle of *res judicata*. The OA is, therefore, summarily dismissed. No costs.

(Hina P. Shah)
Member (J)

(Dinesh Sharma)
Member (A)

/kdr/