

Item No. 37



**Central Administrative Tribunal  
Principal Bench, New Delhi**

**C.P. No. 191/2021**

**in**

**O.A. No. 604/2021**

**This the 30<sup>th</sup> day of September, 2021**

(Through Video Conferencing)

**Hon'ble Mr. A.K. Bishnoi, Member (A)**

**Hon'ble Mr. R.N. Singh, Member (J)**

Gouri Shanker

Aged about 61 years

S/o Late Sh. Kishan Kharwar

R/o D-64, Gali No.5, Hanuman Chowk, Qutub Vihar

Phase-2, Goyla

Diary Goela Khurd, South West Delhi-110071

Mob No. 9953103178

Post: Mali

Group-D

... Applicant

(through Advocate: Sh. Anuj Aggarwal)

**Versus**

1. Sh. Sanjay Goel

The Commissioner

North Delhi Municipal Corporation (NDMC)

Office of Director Horticulture Department (HQ)

Dr. SPM Civic Centre

Minto Road, New Delhi -110002

Email: commr.northdmc@mcd.nic.in

2. Dr. Aashish Priyadarshi

The Director (Horticulture)

North Delhi Municipal Corporation (NDMC)

Assessment & Collection Department,

City-Sadar Pahar Ganj Zone,

Old Hindu College Kashmere Gate

Delhi-110006

Email: ashishpriyadarshi@mcd.nic.in

... Respondents

(through Advocate: Sh. R. K. Jain)

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**ORDER (Oral)****Hon'ble Mr. R. N. Singh, Member (J):**

The present contempt petition has been filed by the applicant alleging willful defiance of directions of this Tribunal in Order/Judgment dated 17.03.2021 (Annexure P-1) in the aforesaid OA. The said Order/Judgment was passed at the admission stage itself and Para 7 thereof reads as under:-

*‘7. Keeping in view the foregoing, the OA is disposed off at the admission stage itself, without going into the merits of the case, with a direction to the respondents to release the retiral amounts along with due interest, as per extant rules and instructions, within a time period of six weeks.*

*In case, such release of retiral amounts along with interest is not feasible due to certain reasons, a reasoned and speaking order shall be passed within the time allowed, under advice to the applicant. The applicant shall have liberty to approach the Tribunal, if certain grievance still subsists. No costs.”*

2. Pursuant to the notice from this Tribunal, the respondents have filed compliance affidavit and in the compliance affidavit, the respondents have asserted that the petitioner has been paid leave encashment amounting to Rs. 4,38,450/-, GPF amount Rs. 7,72,233/- and GIS amount of Rs. 8,225/- immediately after retirement in the month of December, 2019 and the amount of DCRG amounting to Rs. 7,23,738/- & amount of COP amounting to Rs. 7,37,460/-

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has already been processed and has been sent the demand for funds to Finance Department. To this effect, the respondents have also passed an order dated 12.06.2021, copy of which is asserted to have been sent to the petitioner as well as to his counsel.

3. In the aforesaid facts and circumstances, we are of the considered view that the present CP deserves to be closed. Accordingly, CP is closed. Notices are discharged. However, it is made clear that the petitioner shall be at liberty to challenge the aforesaid order dated 12.06.2021, if so advised in accordance with the law.

**(R.N. Singh)**  
**Member (J)**

**(A. K. Bishnoi)**  
**Member (A)**

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