

Item No. 37

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



**C.P. No. 191/2021
in
O.A. No. 604/2021**

This the 30th 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)

Item No. 37

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/-

Item No. 37

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)

/Pinky/jugal/